HOUSE OF REPRESENTATIVES—*Tuesday, August 9, 1994*

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. BARLOW].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 9, 1994.

I hereby designate the Honorable THOMAS J. BARLOW III to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of February 11, 1994, and June 10, 1994, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member other than the majority and minority leaders limited to 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. BOEHNER] for 5 minutes.

LET US HAVE AN HONEST DEBATE ON HEALTH CARE

Mr. BOEHNER. Mr. Speaker and my colleagues, as the debate over health care begins here in the Congress, I hope that the debate will be an honest one. There are certainly many Members on both sides of the aisle in both Chambers who have differing opinions and strong opinions about what direction health care reform ought to take.

But it appears that over the weekend the new strategy from the Democrats here in the Congress is one to try to mislead or possibly even deceive the American people. Over the weekend on "This Week With David Brinkley" the majority leader, the gentleman from Missouri [Mr. GEPHARDT], said, "We are waiting for the Republican proposals." On "Meet the Press" Leon Panetta, the White House chief of staff, said, "We are still waiting for the Republican proposals." And on Saturday, in a speech in Michigan, the President accused the Republicans of "playing politics with the health care of the people of the United States."

Mr. Speaker, I think these statements are at best somewhat deceiving. Let me first state the first fact: On September 15, 1993, the Republicans in the House of Representatives introduced our version of health care reform. It has more cosponsors than any health care legislation in the Congress today. Remember, September 15, 1993; the bill is right here. You can look at it. You can read it. It has been in the hopper since September of last year.

The second point is we have H.R. 3955, introduced on March 3, 1994. This is the Rowland-Bilirakis bill. It has 74 cosponsors, half Republican, half Democrat. It has been in the hopper since, again, March 3, 1994, for the American people to read and to digest. Fact three: The Republicans in this House, moderate and conservative Democrats in this House have been meeting for months trying to find and craft a bipartisan bill that can get to 218 Members. It has been an honest attempt by both sides of the aisle to bring real reform to health care without new taxes and without the involvement of some big Government bureaucracy.

Having said that, I wonder where the majority leader's bill is. We have been hearing about the Clinton-Gephardt bill for weeks. And I can tell you, as I stand here, the bill does not even exist. We do not have it. It is not written yet. You cannot read it. I cannot read it. The American people cannot read it.

And so when we begin to look at this debate, let us make sure the debate is about honesty. It is about principled policy positions that each of the parties have. But, again, as I say that, I begin over the weekend to read more and more about some of the politics being played to move the Gephardt bill that we have not seen here in the House.

This is not about policy provisions. It is about politics. It is about exempting the State of Hawaii because they have their own plan, and certainly they should not be involved in this. It is about exempting Rochester, NY, because they have a good plan there; it is working well. Why should we get involved in it? It is about hospitals that were in one of the Democrat versions of the bills, hospital pork, for a hospital in Chicago and another hospital in New York City.

Why are these issues involved in health care? It is very simple. It is about buying votes. It is about getting enough votes to get to 218 and to force something out of this House. Look at the politics of abortion that is being waged here in the Congress. Some Members want abortion coverage, period. If it is not there, they will not vote for the bill. Others are saying, "If you include abortion, I cannot vote for the bill." And so what are we going to get in the bill itself? We are going to get some language that will cost them the fewest number of votes.

This is not about policy. It is about politics.

The American people deserve the facts, not half-truths, not deceptions. They want the facts. And if our Democrat colleagues cannot provide the simple facts straight and forward to the American people, how can we believe what might be in the Gephardt bill if we ever get to see it?

So I would say to my colleagues the process here in the Congress for achieving real health care reform today is flawed. It is flawed because we are going to move a bill on August 19; we are told that is the day it is going to pass. We are going to start the debate next Monday, but yet the bill that we are going to use does not even exist yet.

WELFARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentlewoman from Utah [Ms. SHEPHERD] is recognized during morning business for 5 minutes.

WE NEED LEGITIMATE WELFARE REFORM

Ms. SHEPHERD. Mr. Speaker, there is a dangerous undertow in our current welfare system. Just as single mothers are about to break free of public assistance and establish their own financial independence, they are pulled back into dependency by a system which provides health care to those who don't work and offers no support to those fighting to become part of our mainstream economy. It is a system in which nonsensical regulations which make welfare pay more than work. We must abolish these disincentives to work, yet, as we consider policies to change our check-writing system to a jobs-focused system, we should not attempt to reinvent the wheel. Numerous States are successfully transforming welfare assistance into employment assistance and their positive results should form the foundation of any national effort.

One such program exists in my home State of Utah. After receiving waivers from 46 Federal laws and regulations,

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Utah initiated the three-county, Single Parent Demonstration Program, in January 1993. This innovative, employment-focused plan has literally moved thousands of people out of poverty by increasing family income through employment, strengthening child support enforcement, and encouraging the ethic of responsibility most Americans live by.

From the recipient's initial contact with the Family Support Agency where an individualized responsibility contract is signed, participation requirements and the employment goals are made exceptionally clear. The Single Parent Demonstration Program demands responsibility while providing the training, child care, and support services necessary to ensure that welfare assistance is only temporary. The results speak for themselves. In just over a year, the number of AFDC families with earned income has increased by over 25 percent, caseloads have decreased by a comparable percentage and the number of families going off assistance has doubled. Because individuals are becoming self-sufficient, AFDC and food stamp benefits costs have decreased considerably.

Based on the progress in Utah, I believe that any legitimate national reform plan must focus on private sector employment, provide adequate child care, improve child support enforcement procedures, and most importantly, contain broad State flexibility for program implementation. States, the laboratories of experimentation, should be given wide latitude to tailor policies which meet the unique needs of their citizens.

Unfortunately, the proposals put forth to date have failed to meet these objectives. An abundance of data is available from those on the front lines of welfare reform in the States. If we are to truly end welfare as we know it, if we are to encourage parental responsibility, if we are to restore the American work ethic, these successes must form the basis of any national plan.

□ 1040

IN SUPPORT OF A SUCCESSFUL CAIRO CONFERENCE

The SPEAKER pro tempore (Mr. BARLOW). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentlewoman from Maryland [Mrs. MORELLA] is recognized during morning business for 5 minutes.

Mrs. MORELLA. Mr. Speaker, worldwide efforts to stabilize population growth, alleviate poverty, and protect the environment have been significantly undermined by the lack of attention to women's reproductive health and to the role of women in the economic development of their families, their communities, and their countries. In recent years, it has been evident, in Rwanda, in Central America, in Gaza, and in a number of other regions of the world, that population growth is a critical factor in air and water population, deforestation, civil unrest, migration and refugee flows, and political instability.

The world's population now exceeds 5.6 billion, and more than 90 percent of the annual population increase of 100 million people is in the development world. Whether the Earth's population doubles or triples in the next century will be determined by actions we take during this decade to improve access to family planning programs for all women and couples who desire them.

Next month, the third U.N. decennial International Conference on Population and Development will meet in Cairo to discuss strategies for slowing rapid population growth and assuring access to family planning services for all women and couples who desire them. I will be attending as a member of the House delegation to Cairo.

Mr. Speaker, a lot of misinformation and outrageous charges have been leveled against this conference, so let us be clear about what the Cairo conference is not about. It is not about governments coercing women to have abortions against their will. It is not about third world bureaucrats forcing birth control bills on unsuspecting women like common street corner drug pushers. And it is not about assigning blame to women in developing countries for the problems of environmental degradation and patterns of overconsumption which we are experiencing in the industrialized countries.

Instead, the Programme of Action which will be adopted at Cairo is recognition of the international consensus reached in recent years that worldwide efforts to stabilize population growth, alleviate poverty, and protect the environment have been significantly undermined by the lack of attention to women's reproductive health and the role of women in the economic development of their families, the communities, and their countries. It acknowledges that sustainable development programs and population stabilization programs are much more likely to be successful when implemented in tandem rather than separately, and that neither policy can be effective without a strategy to empower women. In fact, the evidence demonstrates that the status of women in a particular country directly corresponds to its ability to achieve sustainable development and reduce fertility rates.

The Cairo Conference will speak not only of the need for stabilizing population growth by increasing funding for family planning services, but also of the need to allow women to assert control over their own health and economic circumstances by establishing and implementing literacy and education programs for women and girls, basic health and nutrition programs for women and children, and prevention of the spread of sexually transmitted diseases.

I am an original cosponsor of the International Family Planning and Reproductive Health Act, H.R. 2447. This legislation, introduced by Congressman BEILENSON, also a delegate to the Cairo Conference, will establish the United States as a leader in the global struggle to empower women, ensure women's health, and stabilize population growth. This bill is not about more foreign assistance. It is about foreign policy priorities.

In addition, Congressman BEILENSON has joined me in introducing House Concurrent Resolution 234, a concurrent resolution in support of a successful Cairo Conference. I urge Members to join me in supporting these bills, and in acknowledging the vital importance of this issue in determining the kind of world that we will be leaving to our grandchildren. The time to act is now.

CLINTON'S HEALTH CARE PLAN: AMERICANS ARE SKEPTICAL, NOT CYNICAL

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from New Jersey [Mr. SAXTON] is recognized during morning business for 5 minutes.

Mr. SAXTON. Mr. Speaker, not long ago the President became frustrated at the lack of public support for his health care reform approach and he said these words:

> I just got back from Normandy, celebrating the 50th anniversary of D-day, and when I stood on Normandy beaches and when I saw all those rows of crosses there, it occurred to me that those people did not die so the American people could indulge themselves in the luxury of cynicism and, frankly, that is just what it is.

That was a reference to the American people's reaction to his health care approach.

Mr. Speaker, when it comes to the process of health care reform, the American people are not cynical, they are skeptical, and they have good reason to be.

Let us take a case in point. At the center of the debate is the so-called employer mandate. The employer mandate is an additional payroll tax on employers and employees that would pay for what President Clinton has suggested and leader GEPHARDT has taken up in the way of health care reform.

The problem with the employer mandate is that it is an additional tax on jobs, and we all know here when we tax something, we get less of it.

In this case, raising taxes on businesses, especially small businesses, to pay for health care will result in less

jobs. Many think over a million fewer jobs.

Who will lose their jobs if Congress passes this payroll tax? Numerous economic studies agree that part-time workers, employees of small businesses along with people who work in retail will be the hardest hit.

Staff economists at our Joint Economic Committee recently reviewed 41 different studies of the job impact of President Clinton's proposed employer mandate. The studies conclude that the employer mandate will destroy more than a million jobs and will significantly reduce wages, that is right, destroy jobs and reduce wages, and all 41 studies agreed.

Guess who will take the biggest hit? If you said the middle class, you are right.

More specifically, in my home State, New Jersey, according to one study in 1988, in 1 year alone New Jersey would lose over 32,000 jobs and $3.6 billion in wages and benefits.

To bring these numbers closer to home, the employer mandate would mean a loss of more than $2,000 per family in income for the average New Jersey family of four.

In fact, some call this new tax a wage-batterer and a job-killer. Yet something must be done to make health care affordable and accessible. If Congress is serious about passing health care reform this year, I believe we could pass a bill that would allow us to change jobs without the fear of losing insurance due to some preexisting condition. I think we can all agree on that.

A plan that would reform medical malpractice laws, which cost millions of dollars because doctors must practice defensive medicine, a plan that would permit all businesses, particularly small ones, to form risk pools to bring down insurance costs; and, finally, a plan that would make other commonsense reforms that would help millions of Americans be able to afford health care insurance.

Proposals like these enjoy broad bipartisan support and would address 97 percent or better of the health care costs. Such commonsense reforms are not halfhearted, as the President has suggested, nor are they hardheaded. Unfortunately, Congress cannot pass a meaningful health care reform bill until a position on a Government-run bill which would raise taxes, limit our choices, and kill our jobs, is put aside.

□ 1050

Some time ago President Clinton said that the American people were unwilling to listen to the complex debate and make the difficult decisions. Mr. Speaker, it is not that the American people are unwilling or unable to understand the health care plan. It is that the American people have rejected the big-government, high-tax approach.

There is a tremendous bipartisan desire by Republicans and Democrats alike in this House to pass a bill to get this problem behind us. We should take the approach that we can all agree on rather than that suggested by the chief supporter of the President's plan in Congress. That is the gentlemen from the other House who said recently Congress should push through their bill, meaning the President's bill, regardless of the views of the American people.

Mr. Speaker, we should listen to the American people and pass a good bipartisan health care plan without mandates, and we should do it before we leave here this August.

HEALTH CARE SHOULD BE A BIRTHRIGHT IN OUR GREAT NATION

The SPEAKER pro tempore (Mr. BARLOW). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Connecticut [Mr. GEJDENSON] is recognized during morning business for 5 minutes.

Mr. GEJDENSON. Mr. Speaker, as we reach these final days before the August recess, a plea to the American people to take stock in what we are doing here.

There is a debate often obfuscated by rhetoric, I am sure, on both sides, but the choice comes down to a pretty simple choice. On one side the President and those of us who support universal coverage in the House in particular want a bill that would mandate that every American be covered by health care, that whether one loses their job, whether one changes jobs, whether one goes off to start their own business, whether one is a child covered under their parents' plan and then goes off on their own, that they could not be denied health care, that it would be health care at a reasonable cost and that it would cover all Americans. Our plan is jobs based because most Americans get their health care where they work.

There has been an effort by those who benefit from the present system and many on the other side of the aisle who do not believe the Government has a role in guaranteeing health care to try to confuse the debate. Television and radio show hosts who talk about criminal penalties for private payment to doctors reflect nothing that exists in the legislation, but it was used to create confusion and concern about the health care legislation that is before us. The reality is that without the President's efforts and without the majority leader on this side and in the Senate we would not have health care before us. The majority of the Republicans felt the present system was good enough. Indeed at the beginning of the debate they tried to say there was no health care crisis, to say that Congress should not act on health care. The American people rejected their real position. Now many of them have come back with modified positions which really obfuscate their basic belief, which is the Government should not get involved, and there tract record is pretty certain on this one.

Most of the leaders of the other party who are in Congress today frankly opposed the Medicare provisions. The gentleman from Illinois, Mr. MICHEL, and Mr. DOLE both voted against Medicare, and, while there is greatly railing against Government involvement, there are very few in this country who believe that, if this Congress had not passed Medicare some 30 years ago or more, that senior citizens would not be in worse condition today than they are, that Medicare was one of the things that is guaranteed for our parents and our grandparents, a level of care that no other group of Americans can be certain of, care that they cannot lose and care that is not based on their own personal medical conditions. That is what we are trying to guarantee for working Americans, and I think, if we lose this opportunity after 60 years of struggle, it would not be the Democratic Party, or the Democratic President, or the Democratic majority leader who feels the pain. It will be the hundreds of thousands of workers who lose their jobs and lose their health care. It will be young people who are trying to start a new life who are not able to afford health care.

Mr. Speaker, in my district just this weekend I was told of a family who had lost their jobs. The mother was ill. The premiums are not $1,000 a year to buy health care that is being offered to them. The premiums are $8,000 a quarter. People who have worked hard and pay taxes all their lives, if we do not act on health care in this Congress, those are the people we leave behind. The very wealthy will take care of themselves. Those that are so poor that they have no assets and no means will be covered by Medicaid. The people that we are abandoning, if we fail to act on health care, are working men and women who have fought for this country and paid the taxes to run the programs that have made this the greatest Nation on the face of this Earth.

There are complications with Government action. There is no doubt that some individuals today would have paid less taxes and had a few more dollars in the bank if we did not have Medicare for our senior citizens, but show me any evidence that the average senior citizen in this country would be better off if we had followed the leadership of the gentleman from Kansas and the gentleman from Illinois on the other side of the aisle. Had we listened to them, there would be no Medicare.

Had we listened to those who came before them, there would be no Social Security, and we are at one of those crossroads today.

We need a handful of votes in the other body to move forward to guarantee that every citizen in this country, as a birthright, is covered by health care, that they do not have to worry about losing their homes or having their children drop out of school because of illness in the family. It is the least that we can do, and, if the American people care about their future, it is time for them to call in to their Senators and Congressmen and ask for support for universal coverage.

The plan that we have before the House is a good one. Most decent employers provide health care coverage today. The honest working people are subsidizing those who do not care for their employees.

MAKES NO SENSE TO INVADE A FRIENDLY NEIGHBORING COUNTRY WHEN THERE ARE OTHER SOLUTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Florida [Mr. GOSS] is recognized during morning business for 5 minutes.

Mr. GOSS. Mr. Speaker, last week Secretary of Defense William Perry and Chairman of the Joint Chiefs of Staff, General Shalikashvili, came to the Hill hat in hand. They were seeking approval here to reprogram $800 million; that is millions, to cover the cost of the military operations in Haiti and an additional $270 million emergency supplemental for Rwanda. That obviously totals over a billion dollars, and it is a tremendous amount of money that was not foreseen to be spent.

I think any American; we are all compassionate people, would quickly say that there is a terrible problem in Rwanda. We have to respond to it on a timely basis. People are starving there, disease is rampant, and there is a terrible dislocation, and I think there is a humanitarian mission. Whether it is the appropriate mission for the military is another question, and how we go about dealing with those kinds of missions is something that has eluded the administration. We do not have a proper response mechanism at all.

But the hundred million reprogramming for Haiti is to solve a problem of our own making. That is a consequence of American foreign policy to rattle the sword, and get tough, and talk about invading a friendly, neighboring country just to our south.

The Pentagon explained that, if they do not get help, they are going to have to have certain consequences to deal with, and let me just quote what we were told. The Pentagon said that the military is going to have to curtail training exercises, delay aircraft and ship maintenance, stop purchases of repair parts and release civilian employees. Well, I think we should probably do with a few less civilian employees in the military, but the other areas, curtailing our training, or delaying our aircraft and ship maintenance, or stopping purchase of repair parts strikes me as a little bit alarming. I would not want to send anybody under my command into a hostile situation unless they were 100 percent trained and I were satisfied they were ready to do everything they could to carry out their mission in the safest way possible for themselves on behalf of their country, and I certainly would not send anybody out in an airplane that I thought to have faulty parts or was not properly maintained, nor would I send anybody out on the high seas in a ship that I had serious reservations about.

So, what we are talking about here is, if we do not reprogram this money for this Haiti invasion, this nonsense we keep talking about, then we are in a position of either having to stand down some of our troops or send them out in situations where we have not got the proper maintenance or the necessary spare parts on hand to complete their job with the degree of safety that they should have. That is absolutely intolerable, and it is totally unnecessary because this Haitian invasion is only a signal of a foreign policy that has gone bankrupt, $800 million of bankruptcy here both in dollars and in common sense. It makes no sense to invade a friendly neighboring country when there are other solutions.

□ 1100

The question about whether our military is overburdened, and there seems to be lots of cases of humanitarian relief needs in the world, and our military has been assigned to them, with differing degrees of success and differing degrees of danger. Somalia, Sudan, Eritrea, Burundi, Zaire, Nigeria, Algeria, former Yugoslavia, North Korea, Bosnia, India-Pakistan, Kurdish territories of Northern Iraq, and now Cuba again, the front page of the paper today, and probably tomorrow, we are going to be hearing a lot more about the Cuban situation.

So we have got plenty of those missions out there, some on our front doorsteps, as it were, and we have not really even worked out how to deal with the humanitarian missions and sort them out from the proper military missions yet. It seems to me that is something that the administration ought to be working on.

But looking at our military missions, we get the testimony, while they are asking for this $800 million last week from General Shalikashvili, that what is happening, because which are running around the world doing all these missions, he is simply saying the strain on our soldiers is very great, it is measurable, and many of them are being run ragged.

What for? To contain people in Haiti? The Haitians are our friends and have been for 200 years. And the fact we are sending 14 warships down there, and now talking about invading their island, certainly just strains my sense of credulity.

All of this, incidentally, is going on, this talk about moving $800 million, and in fact the total invasion cost of Haiti and the cost of those ships that down there will be over $1 billion, just by itself now, we are talking of this at the same time we have been stripping the DOD budget. Everybody knows we have downsized our military dramatically.

We are now in the position where I don't know that anybody from the administration can come up here and say we can carry out two actions simultaneously. What would happen, I suppose, if we had an invasion of Haiti on the one hand and Fidel Castro decided to make some mischief with more refugees on the other. It is an interesting thought and one that deserves more attention from the administration.

THE CRIME BILL

The SPEAKER pro tempore (Mr. BARLOW). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Florida [Mr. MCCOLLUM] is recognized during morning business for 5 minutes.

Mr. MCCOLLUM. Mr. Speaker, I would like to talk for a moment about the crime bill that we are maybe going to see out here on the floor this week, and why most Republicans do not like this bill, think it is a bad bill, and would like to see it sent back to conference to see if we could not correct some of the problems with it.

It is a $30 billion-plus spending bill, and probably as illustrative of anything of the differences between Republicans and Democrats. This, combined with the health care debate in the next couple of weeks, should give the American public a clear-cut distinction between those on the one hand, who are most Democrats, who favor continuation and expansion of the Great Society, welfare spending programs, and Republicans, at least most of us on the other hand, who believe we should reduce the size and scope of the Federal Government.

In the crime bill area, most Republicans believe deeply in prevention, but our interpretation of prevention is far different than that of the Democrats. We believe that to have prevention of crime, you must first put swiftness and certainty of punishment back in the system again. You have to have deterrence. You have to send a message when you do the crime, you do the time.

We have 6 percent of the criminals of this country who commit 70 percent of the violent crimes and are serving only about one-third of their sentences. We think the most important thing and the absolutely essential thing a crime bill must do is to provide sufficient resources to the States to build the prison space that is necessary to take those 6 percent of criminals off the streets, lock them up and throw away the keys. Make them serve at least 85 percent of their sentences.

There is not enough resources in this bill to do that; $10.5 billion at least is what the Bureau of Corrections at Federal level tells us the States need to do this. For the second time, not the first, but second time violent repeat offender, we only have about $6.5 billion in this bill for this purpose, about a fifth of the total bill that came out of our conference, compared to about $13 billion that was in the House bill that was passed to begin with.

What we do have in the bill is $8 or $9 billion in welfare spending programs, new programs that are created, largely pork. One is called the Local Partnership Act, has $1.8 billion in it. One is the Model Intensive Grant Program, almost a billion dollars. This particular program provides money for grants to provide meaningful and lasting alternatives to crime, whatever that is.

The Local Partnership Act is largely a local jobs program. Youth in Employment Skills Program, another $650 million to test the proposition that crime can be reduced through a saturation jobs program for youth. And the National Community Economic Partnership, another $630 million to community development corporations chosen to upgrade the management and operating capacity of community development operations to mobilize resources, to provide business and employment opportunities for poor people. And on and on.

I want to say on the record that since 1965, we have spent $5 trillion on social welfare spending the Federal Government has. And during that same period of time, we have had a 500-percent increase in the rate of violent crime in this country. Spending more money on social welfare programs is not the way to address the crime problem in this Nation.

We already have 266 programs in the Federal Government dealing with at-risk youth, 117 of them in the Justice Department alone, spending $3 billion at the present moment. We do not need $8 or $9 billion more in the social welfare programs of this country to so-call fight crime.

What we need are more prisons. What we need is something that is not in this bill at all. We need a provision to end the endless appeals that death row inmates have; to send that message when you get the death penalty, it is going to be carried out with certainty and swiftness, so we can get deterrence in that most violent crime area of all, where murder and violent crimes urging the death penalty are involved. And we need to change the rules of evidence so that evidence from searches and seizures that the local police would like to get in, instead of letting people off on technicalities, can be put in evidence. That is not in this crime bill. It was not even allowed for a vote on the floor of the House.

Like I said, most of all we need to get the money necessary for prisons; that does not begin to come into play out of the conference report that came out of committee.

This is largely a pork bill. These programs are designed to go to targeted areas; the Model Intensive Grant Program, for example, goes to 15 selected cities. All of the criteria listed out there for these programs are designed to go to very targeted areas of the country where I would suggest very senior Democrats are present in the large cities to do so-called jobs at work programs that look good.

It is pure pork. It is not designed and not really going to do anything to get at the underlying cause of crime. You want to get at the root causes, then we have to pass meaningful welfare reform programs. We need a welfare reform bill out here that will put families back together again, get the young people of our country with the father again in the household, begin to teach moral values, change the structure in our school systems, and so on.

That is not what is in this bill. This is more of the same old tax and spend kind of idea around here for the last 30 years adding to the Great Society with more so-called jobs programs.

And I would suggest that that is the reason, if my colleagues want to know why so many of us say we need to defeat the rule on the crime bill when it comes out here in a few days, send the bill back to conference, and do something right to really put deterrence and swiftness and certainty back in this punishment system. Not this bill.

DO SOMETHING ABOUT THE COST OF HEALTH CARE IN THE PRIVATE SYSTEM

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Wyoming [Mr. THOMAS] is recognized for 5 minutes.

Mr. THOMAS of Wyoming. Mr. Speaker, the Federal Government is too big and spends too much. Most people agree with that and, indeed, most Members here agree with that when they are home and campaigning, and support that concept.

Yet many of the same Members come here and talk in favor of the Clinton-Gephardt solution to health care, which would be a solution that would provide for the greatest increase in the size of Government, for the greatest increase in the cost of Government, that has ever been proposed.

We talk about benefits to provide universal care, and we need to talk about extending care to everyone that can never be lost. And they do not talk about what it costs. They do not talk about who is going to pay for it. They do not talk about what it means to the size and the growth of Government and to the cost of Government.

Mr. Speaker, we need to talk a little bit about how we can make some improvements, how we can do something about providing better health care to the families of Wyoming and to the families of this country, and do it in a way that will not increase the size of Government, that will not increase the cost of Government. And we can do that.

I would like to talk about just one aspect of it today that I think is very important, and that has to do with the cost of health care delivery in the private system. And we can do some things about that. Most people would agree that we can do some things about that.

Rather than trying to reinvent, trying to reconstruct, trying to redo the whole health care system and put it into a Government delivery system, we ought to deal with those things we can do in the private delivery system. And we can do some things about health care cost: malpractice insurance, for example; tort reform. We can do some things there that have a great deal to do with the costs of health care, that have a great deal to do with the cost of health care in the private delivery system. And it is not so much the matter of insurance premiums for health care liability insurance. It has to do with the question of defensive medicine.

□ 1110

That is a significant cost. We can do something about limiting attorney's fees. We can do something about capping noneconomic damages at $250,000, not limiting the ability for someone to recover from losses they have had, but, rather, the noneconomic damages that become astronomical. We can do something about tort reform. The trial lawyers, however, have been successful in striking any reference to the cap on noneconomic damages in the Clinton-Gephardt bill, even though it was in the Ways and Means bill as it was passed.

Wyoming, for example, is severely impacted by high malpractice rates. Rawlins, WY, has not recruited an obstetrician because the insurance is so high. As a result, women have to travel 100 miles to have delivery of a baby.

Even though we have had only four malpractice suits in Wyoming, physicians pay higher rates than they do in California, because California does

have a cap on noneconomic damages. We can do some things about outcome research. That can be done in the private sector so that doctors will have an opportunity to know the best procedure to be used.

We can do something about antitrust restrictions. If we are to have a delivery system in Wyoming, we have to make some changes in antitrust restrictions so that hospitals can work together, so that doctors can work together, and we can define a delivery system network so that we can have in Wyoming different types of delivery systems that move toward a regional center. When you have a low population area, you have to do this. We did that in Cheyenne. It allowed two hospitals to come together. They can operate more economically. We can do it.

We can do something about true administrative and paperwork reform, by electronic billing, by uniform claim forms. We started doing this 2 years ago. And we can do some work in that area that has nothing to do with more Government and more expenditures through Government but, rather, to reform the private sector.

We can do something about State-mandated benefits that have caused insurance policies to have to maintain extensive benefits that are included by mandates in State plans. We can change those kinds of things.

We need to work on the areas where there is agreement here, where there is agreement for making some changes in the private sector that will reduce the cost of health care. And that is one of the areas that we can find agreement in this Congress, without the idea of uprooting one-seventh of the economy, putting it over into a Government-delivered health care system that will increase the size, increase the cost of the Federal Government.

THE CRIME BILL

The SPEAKER pro tempore (Mr. BARLOW). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I am very honored to take the floor again to talk about the crime bill because there has been so much misinformation out here. I think any American who knew what was really in this bill would be absolutely insensed that we have not gotten it passed long ago.

Obviously crime basically is dealt with at the State and local level. But some of the things that Americans are most upset about we address directly here through Federal help.

One of the things Americans get really furious about, including myself, is when you constantly read about criminals who win out and perform some terrible crime and find out that they have been caught before but were released because there was not prison space or because of overcrowding or whatever.

So what can the Federal Government do to help in that case? This bill, this bill that is being held up, has $6.5 billion, billion with a big B, to go to State and local governments to help deal with the backlog on prisons so that when people are sentenced and caught, we keep them off the streets.

It also has some very tough provisions like three strikes and you are out. It tightens many other crimes that we really have not paid much attention to at the Federal level.

One is tightening the offenses against people who molest children. We know that there have been a lot of people that move over State lines and they have a record. This tightens the kind of penalties when we catch them.

It also deals with violence against women and family violence, domestic violence, whether it is perpetrated on a man by a woman or a woman by a man. We know that many of the criminals that you are much more apt to deal in violence when you grow up, if you grew up in a home that had violence going on every day. If every act is solved in the home with violence, then you are not going to do some kind of little hours teaching and teach children to deal with their emotions in some other way.

So finally getting onto this is very important. And just yesterday the American Bar Association put out a report saying how important this bill was and how long it has been that the law had ignored, ignored the whole area of domestic terrorism.

What does this bill do? It gives money to State and local governments to help train prosecutors, to make courts more sensitive, to build more shelters.

I have said over and over again, there is three times as many shelters for dogs and cats in this country as there are for family members suffering from any kind of violence.

And it puts in a 1-800 number so we begin to get a real offensive on that at the Federal, State, and local level. It puts another 100,000 policemen in cities, cops on the beat. We know if there are police present, it is much less likely to be crime present. It puts in any number of preventive programs we know work, youth jobs programs, all sorts of sports programs, and all of these things are really not funded at that great of an amount, because basically they are all done with volunteers. But this money can keep those volunteers focusing on the young people rather than trying to do what they want to do with the young people but having to have a carwash every other day and a bake sale every other day and whatever. It is to just get the money to rent the space or do whatever they need.

So this goes a very, very long way and has all sorts of ripple effects through the young people that the community is trying to reach. It also deals with international terrorism. We toughen up a lot of the things that we needed to have done a long time ago on terrorism. When we just saw the blowing up of different facilities in both Buenos Aires and London, we ought to be doing everything we can to get tougher on terrorism. These are all the things this bill does, along with limiting assault weapon sales.

Certainly we ought to be doing that. What are we going to do, go back to the Old West where everyone just gives up on the whole legal system, where we run around with our own assault weapons shooting and killing each other? I do not think that that is a good idea, and I do not think anyone else does either.

There is mandatory sentencing. There is all sorts of critical issues in here that should have been done. But the most important part is the balance between punishment and the balance between prevention.

I spent a lot of time with parents in my district of young people who are in trouble with the law. I found out that due to budget cuts, our schools had cut back on so many things that would have prevented these kids from getting in trouble. Here is a way we can reinstate those programs. I certainly hope we get a speedy enactment of the crime bill.

MORE ON THE CRIME BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentlewoman from Texas [Ms. EDDIE BERNICE JOHNSON] is recognized during morning business for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I, too, rise on behalf of the crime bill. It is clear to me that probably not a single person is pleased with every element of the crime bill. I am probably just as displeased as many others.

We do extend the death penalty, and we do not have the racial justice provision in the bill. But, Mr. Speaker, we do have prevention. The majority of the people in this country want to see criminals off the street. They want to see crime stopped. I want the same thing.

I would like to see more fairness in the criminal justice system. But I do not believe that we are going to get it stated in this bill. I believe it is a challenge to continue to work, but I do believe that when we approach crime, we have three things to do: We have to prevent; we have to do something with the persons who break the law; and we have to rehabilitate.

□ 1120

This bill does all three things. That is the reason why I am going to support this bill. I am supporting this bill because I am not here representing my emotions. I am here representing almost 600,000 people in District 30, Texas.

They want to see a crime bill passed. For that reason, I am going to support the crime bill. I am going to vote for the rule and I am going to vote for the bill, not because I think it is perfect, not because it has directed any court to be any more fair, but when we look at Federal versus State, many of the problems of unfairness come more with State law than with Federal law.

It is a challenge to keep working, Mr. Speaker, but it is not time at this point to stop. We must respond to the people, and we must pass this bill.

Another area that requires a great deal of attention, Mr. Speaker, for my entire career in politics, which spans over 20 years, I have stood up and I have spoken out for human rights. I continue to do that, but I do believe at this time it is appropriate for the country of China to separate that issue and trade. In many instances, it has not been separated.

All the circumstances have been different. Many will talk about South Africa. South Africa stood and cried out to the world, with 75 to 90 percent of the people crying out to the world to stop trade. The entire would responded. No one in China is crying out, saying "Stop trade."

One of the ways to make human rights better in China is to be sure that people have a way to make a living, to become independent, and to get in a position to have more ownership.

Mr. Speaker, I believe that the President is right. I believe that we can put provisions, negotiate them, look at the past cultures, and decide that yes, we will not compromise human rights, but we must look at trade. Human rights must continue to be a vital consideration as America forms its policy toward China, as well as the policy toward other areas in the world. We must be consistent.

However, Mr. Speaker, the United States must pursue policies which are specific to each of the issues which affect our relationship to China, in order to achieve positive results. When a president of a country looks you straight in the eye and says "How can you judge me? What are you doing," how do we answer?

The continuation of China's most-favored-nation status is a necessary part of America's policy toward China. We must recognize that China will not be bullied, and an open and constructive approach is required to cultivate the relationship and advance American interests.

Whether those interests lie in trade or human rights, we must look at those separate issues in every part of the world, as well as our own country.

MEMBERS SHOULD CONSIDER BOEING'S OPERATIONS IN CHINA BEFORE VOTE ON MOST-FAVORED-NATION TRADING STATUS

The SPEAKER pro tempore (Mr. BARLOW). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentlewoman from California [Ms. PELOSI] is recognized during morning business for 5 minutes.

Ms. PELOSI. Mr. Speaker, I rise to call to the attention of our colleagues this article that appeared in today's Washington Post. It says "Boeing To Send Work on Jet Parts To China."

It was just a little more than 2 short months ago that Boeing was in the forefront in urging President Clinton to renew most-favored-nation status to China unconditionally. They, among other members of the business community, are also those who oppose our very focused compromise legislation today to lift MFN on products made by the Chinese military and the People's Liberation Army.

However, here today, this morning, I want to call my colleagues' attention to this article, because in it, it says that Boeing will invest $600 million in a plant in China to build tail sections for its 737 jetliners, and a $100 million spare parts center and training program.

The spokesperson for Boeing said that China was a possible production site for the 100-seat passenger planes Boeing hopes to manufacture for Asian markets. This is quite a different story than the protecting of jobs in America that Boeing was talking about at the time it weighed in so heavily with the executive branch and with Members of this body voting on legislation today.

Mr. Speaker, what is really important about this is that the spokesperson for Boeing also said "Our thinking is that once that is built, the Xian and Chinese industry will be able to build anything to world standards," anything. This means entire airplanes. This is not new. This is a course that the aerospace industry has been on.

What is alarming about it, Mr. Speaker, and what should be of concern to this body is that in this debate on trade, and I may add, I consider myself an advocate for trade, I have supported the President on NAFTA, I voted with President Bush on trade bills. I represent a district that is built on trade, and we have almost every business in our district that does business with China, ranging from major construction companies which build projects there to the clothing industry, which has products made in China for export to the United States, to mom and pop import-export businesses in Chinatown, so I understand when business weighs in with our colleagues, that sometimes it can be a difficult decision.

However, Mr. Speaker, that is their business, to support their interests. What is our business and our interest in this body is to be relentless in our pursuit for American jobs, certainly in an atmosphere of the freest possible trade, but that trade must be fair.

Why this particular article about Boeing to send work on jet parts to China should be of concern to each one of us is that in the past, most of the jobs that were exported abroad were described as labor-intensive, low-skilled jobs.

Now we see this year, in China's trade deficit, as was reported by the CIA about 2 weeks ago in an unclassified report to Congress, that while China's toys and clothing, manufactured goods, were holding their own or increasing a little bit in terms of exports, the biggest growth in China's trade to the United States was in electronic products, making up 6.5 percent of products that are used in the United States in that category.

So the massive trade deficit, which will at a minimum be $28 billion this year, but probably closer to $30 billion, is now not only because of unfair trade practices and barriers to market access, but also should be a source of concern because of the transfer of technology that is taking place. It is no longer just low-wage, labor-intensive, low-skilled jobs. Now we are talking about high-skilled jobs.

Mr. Speaker, in the statement from Boeing they say, as I mentioned, that they will be able to build whole planes there soon, and it plans to convert $100 million over 5 years to build the spare parts center at the Beijing airport to set up training programs for pilots, crew, and maintenance staff; certainly, Mr. Speaker, a noble venture.

It also says that the tails that will be made in China are made presently at the Wichita, KS, plant of Boeing. Hopefully, no jobs will be lost in Wichita. What we are concerned about are the jobs that are not added in Wichita.

I hope that our colleagues will read the Washington Post today, and it is in the New York Times and Wall Street Journal, also, but in the local metropolitan newspaper it is titled "Boeing To Send Work on Jet Parts To China." I would ask my colleagues to please read this before they vote.

RECESS

The SPEAKER pro tempore. There being no further requests for morning business, pursuant to clause 12, rule I, the Chair declares the House in recess until 12 noon.

Accordingly (at 11 o'clock and 28 minutes a.m.) the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 noon.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We are grateful, O God, for all people who use their special talents and abilities in ways that promote healing in body and in spirit and so make an offering for all humanity. For doctors and nurses and technicians, for all people who are dedicated to healing and wholeness, for those who ease any hurt and promote well-being and harmony of the spirit, we offer these words of appreciation and gratitude. In Your name, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. DERRICK. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. DERRICK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 251, nays 153, not voting 30, as follows:

[Roll No. 380]

YEAS—251

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Bateman
Beilenson
Berman
Bevill
Bilbray
Bishop
Blute
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clayton
Clement
Clinger
Coleman
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Crapo
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
English
Eshoo
Evans
Everett
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Green
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Holden
Houghton
Hoyer
Hughes
Hutto
Inslee
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kingston
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pombo
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Tejeda
Thompson
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Watt
Waxman
Wheat
Whitten
Wilson
Woolsey
Wyden
Wynn
Yates

NAYS—153

Allard
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clay
Coble
Collins (GA)
Cox
Crane
Cunningham
DeLay
Dickey
Doolittle
Dreier
Duncan
Ehlers
Emerson
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallo
Gekas
Gilchrest
Gingrich
Goodlatte
Goodling
Goss
Grandy
Gunderson
Hancock
Hansen
Hastert
Herger
Hobson
Hoekstra
Hoke
Horn
Hutchinson
Hyde
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kennelly
Kim
King
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Machtley
Manzullo
McCandless
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Miller (CA)
Miller (FL)
Molinari
Moorhead
Morella
Murphy
Nussle
Packard
Paxon
Petri
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Stearns
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Velazquez
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—30

Becerra
Blackwell
Brown (CA)
Clyburn
Diaz-Balart
Dornan
Dunn
Engel
Fish
Gallegly
Grams
Hastings
Hefley
Hochbrueckner
Huffington
Hunter
Inglis
Inhofe
Jefferson
Mfume
Michel
Moran
Owens
Ravenel
Shuster
Thornton
Washington
Waters
Williams
Wise

□ 1225

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. GEPHARDT). Will the gentleman from California [Mr. DOOLITTLE] come forward and lead the House in the Pledge of Allegiance.

Mr. DOOLITTLE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6. An act to extend for five years the authorizations of appropriations for the programs under the Elementary and Secondary Education Act of 1965, and for certain other purposes.

The message also announced that the Senate insists, upon its amendment to the bill (H.R. 6) "An Act to extend for five years the authorizations of appropriations for the programs under the Elementary and Secondary Education Act of 1965, and for certain other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. PELL, Mr. METZENBAUM, Mr. DODD, Mr. SIMON, Mr. HARKIN, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mr. WOFFORD, Mrs. KASSEBAUM, Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. THURMOND, Mr. HATCH, and Mr. DURENBERGER, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the Report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2739) "An Act to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal year 1994, 1995, and 1996, and for other purposes.".

TRIBUTE TO MEDAL OF FREEDOM WINNERS

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, yesterday the President awarded the highest civilian award and the gift of this Government, the Medal of Freedom, to eight Americans: Herbert Block, the cartoonist, for his biting satire; the late leader of the United Farm Workers, Cesar Chavez, for his inspiration; Arthur Flemming for his service to every President, from President Roosevelt to President Reagan; James Grant, for his compassion as Executive Director of UNICEF; civil rights advocate Dorothy Irene Height for her hope; former Member Barbara Jordan for her wisdom; Lane Kirkland, for his service to labor; Sargent Shriver, for his leadership on the Peace Corps, VISTA, and voluntarism; and yesterday the President awarded the Medal of Freedom to our distinguished minority leader and friend, BOB MICHEL, for putting the interest of his Nation ahead of his own.

We salute each of the award recipients for their outstanding achievements, but I take the floor today to offer a special salute to our distinguished colleague and my friend from Illinois, who so richly deserves this honor.

Nobody with whom I have served has brought more civility and dignity to this Chamber than the gentleman from Illinois. He is a symbol of what the House of Representatives was intended to be, a place where the conflicts of this diverse Nation are resolved with good will and good intentions, and, after fierce and full debate, often by creative compromise.

Former Speaker Sam Rayburn once said:

> The district that is best represented is the district that is wise enough to select a man of energy, intelligence, and integrity, and reelect him year after year.

The wise voters of the 18th District of Illinois sent such a man to Congress in 1956, and they have sent him back 18 times.

□ 1230

Each time BOB MICHEL has served them with extraordinary skill, decency, and honor. His career has been exemplary. One could stand in this well all day and not list all of his accomplishments, from his courageous service in the Army in World War II to his fervor on the floor of this Chamber on every major issue that has shaped the Nation in the last half of this century.

But perhaps his greatest accomplishment is setting a standard of decency and integrity in public service that is rarely met in politics and Government today.

I remember his opening remarks of the 103d Congress and a quote is the sum and substance of BOB MICHEL's leadership. He said, "in every instance, ceremonial and political, mutual respect and goodwill should be at the heart of our endeavors." That has been how the distinguished minority leader has conducted himself in the business of this House.

Mr. Speaker, the Presidential Medal of Freedom is an extraordinary honor, and no one deserves it more than the gentleman from Illinois. He has led his party for 13 years, is second to no Member of this House in his patriotism, his humanity, and his great love of the House and its role in this democracy. He has set a standard of high purpose in public conduct second to none.

Mr. Speaker, I invite the House again to salute this signal honor and achievement.

Mr. Speaker, I include for the record the citation of the Medal of Freedom awarded to BOB MICHEL and his colleagues.

THE WHITE HOUSE,
OFFICE OF THE PRESS SECRETARY,
Washington, DC, August 8, 1994.

The President today awarded the Presidential Medal of Freedom to the following individuals. The text of the accompanying citations reads as follows:

Herbert Block. Combining humor, satire, and an incisive wit, Herbert Block, better known by his pen name Herblock, has endowed editorial pages with his skilled artistry for nearly half a century. His political cartoons continue to enliven the minds and tweak the sensibilities of millions of Americans. Usually selecting his targets from among the powerful of Washington, every President since Herbert Hoover has known the sting of Herblock's pen. He instills in our Nation's leaders a dose of humility, reminding all of us that public service is a privilege.

Cesar E. Chavez. (Posthumously) With few material possessions, but guided by his parents' steady example, his Catholic faith, the lessons of Gandhi, and unshakable belief in justice, Cesar Chavez brought about much needed change in our country. An agricultural worker himself since childhood, he possessed a deep personal understanding of the plight of migrant workers, and he labored all his years to lift their lives. As the leader of United Farm Workers of America, he faced formidable, often violent opposition with dignity and nonviolence. And he was victorious. Cesar Chavez left our world better than he found it, and his legacy inspires us still.

Arthur Flemming. The highest attributes of Government service are clearly evident in the brilliant career of Arthur Flemming. Serving every President from Franklin Roosevelt to Ronald Reagan, he is a proven resource of astute intelligence and steadfast loyalty. On the first two Hoover Commissions, he strove to renew and reinvigorate established principles of governmental power and responsibility. From his role as Secretary of Health, Education, and Welfare, to his landmark efforts as Chairman of the Commission on Civil Rights, he consistently challenged the status quo. He not only sought health care reform, but he also summoned our Nation to uphold its promise of equality. Arthur Flemming has selflessly labored for decades to make American Government more effective and efficient. A grateful Nation thanks him.

James Grant. Recognizing that our children are our most important resource and most profound responsibility James Grant has devote his life to making the world a better place for its youth. He has proven to be a compassionate and visionary executive director at UNICEF, teaching us the disastrous effects of poverty, population growth, and environmental degradation upon the vulnerable and dispossessed children of our world. Under his leadership, UNICEF has fought to reduce disease, malnutrition, disability, an illiteracy on a global scale. His wise stewardship has pointed the way toward a future in which these adversities may no longer threaten our children. James Grant continues to create hope and opportunity where there was once only despair, earning our eternal gratitude and ensuring a brighter tomorrow for our world.

Dorothy Irene Height. Dorothy Height has spent a lifetime providing leadership in the struggle to make the promise of equality a reality for people around the world. Beginning as a civil rights advocate in the 1930s, she soon gained prominence through her tireless efforts to promote interracial schooling, to register and educate voters, and to increase the visibility and status of women in our society. She has labored to provide hope for inner-city children and their families, and she can claim responsibility for many of the advances made by women and African Americans over the course of this century. For helping our Nation to more accurately reflect the noble principles on which it was founded, we honor Dorothy Height.

Barbara Jordan. Teaching by deed, as well as by word, Barbara Jordan has dramatically articulated an enduring standard of morality in American politics. Guided by an unshakable faith in the Constitution, she insists that it is the sacred duty of those who hold power to govern ethically and to preserve the rule of law. As the first African American woman elected to the Texas State Senate, her conspicuous abilities led her to the United States Congress, where her brilliant oratory and meticulous judgment earned our lasting respect. She continues her life's work as teacher, explaining and analyzing complex issues of moral responsibility in politics and imbuing the leaders of tomorrow with the ability to follow her formidable lead.

Joseph Lane Kirkland. Lane Kirkland is a hero of the modern labor movement—a man who has spent his life forging solidarity among the men and women whose sweat and toil have built our world. Ever resolute in his quest to enhance opportunities for working people, he has tirelessly worked to strengthen democracy and to further the cause of human rights. During the Cold War, his vital assistance to the Solidarity movement in Poland spurred the forces of freedom toward victory in Eastern Europe, just as his guidance here at home helped to renew and fortify the American economy. As a people, we are indebted to Lane Kirkland for his talented leadership efforts as an advocate for unity and social justice.

Robert H. Michel. Demonstrating loyal devotion to our country, Bob Michel has worked ceaselessly to move our Nation forward. After valiant Army service during World War II, he chose to serve his community and country in the Congress, earning the trust of his constituents, election after election for nearly four decades. Raising his voice, sometimes in song, but always in the spirit of creative compromise and cooperation, he has won the enduring respect of his colleagues on Capitol Hill and of the nine Presidents with whom he has served. He retires as House Minority Leader, leaving a history of legislative victories that often broke gridlock in times of crisis. America thanks him for demonstrating the highest standards of public service, putting the interests of the Nation ahead of his own.

Robert Sargent Shriver. Robert Sargent Shriver has not only shared, but shaped, the action and passion of his times. it was Sarge Shriver's energy, persuasion, and leadership that made the goals of the Peace Corps attainable—that living reminder that the essence of American power is not might of arms, but constancy of ideals and perseverance of effort. That so much endures with his indelible stamp both stuns and invigorates: Head Start, VISTA, Foster Grandparents, Legal Services, the Job Corps, and more. He released a torrent of creative energy—from Special Olympic athletes to Head Start students to National Service pioneers. "Serve, serve, serve," Sargent Shriver told Americans, "because in the end, it will be the servants who save us all." His service has been our legacy of hope.

THE HONOR AND PRIVILEGE OF SERVICE IN THE HOUSE OF REPRESENTATIVES

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, my colleagues, it gets to be an awfully emotional moment. The President did me such honor yesterday and obviously at a moment and a time that I shall never forget.

Mr. Speaker, you made mention of that today, with your very kind remarks about my service in this House and our serving together. I was always hoping that, well, sometime later on in this session, when we get about ready to adjourn, maybe I would have a few comments to say and offer some words that were appropriate.

If I were to say anything today other than just thank you so much for your tribute today, it would be this: I was singled out as a Member of the House of Representatives for that most prestigious award. I wish I could just parlay that into having the American people appreciate what this institution is all about, and how important it is to the country. We want to have the respect of the people. We want them to know that what goes on here is at the very heart of this Government. This House, yes, and the other body.

But I have been around this House long enough to have sensed the feeling of our Members. We get shortchanged compared to the other body. At this event yesterday, I just could not help but feel, egads, here is a Member of the House of Representatives who is among that distinguished group of people honored.

So I wish there were a way to say, I accepted it yesterday on behalf of each and every one of you who serve, as you do, representing your constituents in this great body, the U.S. House of Representatives.

I hope you will always think of that and in the remaining days that you serve in this body, what it is to bring credit to the institution, to make it just a little bit better tomorrow than it was today. And, yes, we have had our down times and our times of distraction. But all in all, how many people have said it throughout history, whether foreign leaders or our own people here in this country, our system is such that it cannot be paralleled by any other around the face of the globe.

I hope you will just all appreciate as much as I have appreciated the great honor that has come to me to simply have been elected by our individual constituencies and then eventually serve in this House, to do the very best we can in our own way, as just a little bit of the whole.

Thank you so much.

SALUTE TO THE HONORABLE BOB MICHEL

(Mr. HASTERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTERT. Mr. Speaker, BOB MICHEL, certainly I cannot be more eloquent than you in your down to earth and simple language that you addressed this House and the honor that this House bestows. But I would like to take a minute and just read the writing in the book of the Medal of Honor.

It says, BOB MICHEL,

> Demonstrating loyal devotion to our country, Bob Michel has worked ceaselessly to move our Nation forward. After valiant Army service during World War II, he chose to serve his community and country in the Congress, earning the trust of his constituents, election after election for nearly four decades. Raising his voice, sometimes in song, but always in the spirit of creative compromise and cooperation.
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> He has won the enduring respect of his colleagues on Capitol Hill and of the nine Presidents with whom he has served. He retires as House Minority Leader, leaving a history of legislative victories that often broke gridlock in times of crisis.
>
> America thanks him for demonstrating the highest standards of public service, putting the interests of the nation ahead of his own.

BOB MICHEL, to me, and to this House, you have been a dear friend. You have been a mentor. You have showed civility and grace and good conscience to us all as a hallmark in the parameters of our behavior here.

You fought for freedom, not only with bullets but with words. We salute you for it, and we love you for it.

DON'T LET THE SPECIAL INTERESTS MUG THIS CRIME BILL

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, tomorrow we vote on the rule on the crime bill and the vote is extremely close. How can we let special interests dictate what we do on the most important issue facing the country? How can we go home without a crime bill? How can we vote against 100,000 cops on the beat? How can we vote against three strikes and you are out or tougher sentencing provisions? How can we vote against the death penalty for over 60 Federal crimes or for funds to States for prison building or for serious prevention programs to keep young people from going into crime?

Mr. Speaker, the American people do not want the special interests dictating what we do on the crime bill. Let us pass it and let us pass it now.

□ 1240

GOVERNMENT IS TOO BIG AND SPENDS TOO MUCH

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, Government is too big and spends too much. Senator JOHN DANFORTH, vice chairman of the Bipartisan Commission on Entitlement and Tax Reform, is quoted in the Post this morning as saying, "We are on a course toward national bankruptcy. The question today is what are we going to do about it?"

Other members of the commission have an idea of what they are going to do about it. One has the idea that we should start taxing the amount of money the employer contributes to your pension. Another has the thought that we should tax the amount of money the employer pays for your health plan. Some think that we ought to tax the interest we pay on our home mortgage and can presently deduct.

Keep in mind, Mr. Speaker, the average family of four with a median income already pays over one-third of that income to the Government in taxes. The President and Mrs. Clinton are pushing socialistic health care. Such health care would become the largest entitlement of all, and it would simply accelerate our Nation's bankruptcy. President Clinton ought to recognize that Government is too big and spends too much.

HEALTH CARE REFORM: A WORKER'S MANDATE

(Mr. DERRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERRICK. Mr. Speaker, 85 percent of uninsured Americans are employed, hard-working men and women and their families. Most of these people earn between $15,000 and $25,000 a year. When the average family insurance policy costs about $5,200, you can see why health insurance eludes them.

Meanwhile, Medicare covers the very poor. That is why the Gephardt health care reform bill focuses on employed middle-income Americans. They lose the most under the present system.

Working Americans want and need health care coverage they can never lose. That is why the following worker's organizations support the Guaranteed Health Insurance Act: The Service Employees International Union, the National Association of Letter Carriers, the American Federation of State, County and Municipal Employees, the Communications Workers of America, the International Ladies Garment Workers Union, the United Steelworkers of America, the United Auto Workers, and the Amalgamated Transit Union.

Together, these organizations represent over 5 million American workers. It is a worker's mandate Congress should not ignore.

LET'S NOT RUSH HEALTH REFORM

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, the Democratic leadership has decided to push back the traditional August recess 1 week to give the Congress more time to vote on health care reform alternatives.

Inside the beltway, this announcement has been met with groans from folks who have made vacation and other plans. The American people do not care much about the Congress being inconvenienced, though, since so often we are the ones inconveniencing them with higher taxes and more mandates.

But the American people should be concerned about the real meaning behind this action: The Democrats want us to vote on health care before we get a chance to talk to our constituents.

The reason is clear: The American people do not want what the Democrats are selling.

I would challenge the Democrat leadership to come with a better explanation for why we must rush through this process. I do not expect them to meet my challenge.

Mr. Speaker, political expediency does not equal good policy. Let us not rush health care reform.

INTELLIGENCE AGENCIES, FISCALLY OUT OF CONTROL

(Mr. TORRICELLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TORRICELLI. Mr. Speaker, if it happened in any other department of this Government it would rock the foundations of Washington. It would be a scandal of enormous proportions, an agency of this Government spending $350 million to build four office buildings without the control of the Congress, without the oversight of Members of this institution, secretly constructing an office building larger than anything on Capitol Hill; indeed, one-fifth the size of the Pentagon.

Mr. Speaker, this is the final evidence. The intelligence communities of this Government, the CIA in particular, is a government within a government. We are not controlling it, we are not monitoring it, we are not controlling its spending. We are not functioning in our constitutional responsibilities.

Mr. Speaker, only a few weeks ago this House defeated an effort that the gentleman from Kansas [Mr. GLICKMAN] and I offered to make the CIA budget public.

I remind my colleagues that when that vote comes up again, we are responsible for accountability of the intelligence agencies. Today Members are seeing just how out of control fiscally they are.

THE WHITE HOUSE SHOULD STOP BLAMING THOSE WHO WANT A BIPARTISAN HEALTH CARE BILL

(Mr. HORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, as a member of Congress strongly committed to health care reform, I find the latest line from the White House quite interesting—blame the failure of the big government Clinton bill on those who would allegedly preserve the status quo. I think we have been given seats to the preview of the postmortem finger-pointing.

To Clinton plan backers, supporters of the status quo are those who do not wholeheartedly embrace the Clinton plan.

Supporters of the status quo are those who would take the time to study a bill that has not even yet been written. Supporters of the status quo are those who would dare seek reasonable progress on health care reform that would command a large bipartisan consensus in Congress and the support of a large majority of the American people.

It is quite ironic to watch those who have proposed the Clinton-Gephardt Health care plan—one that has been soundly rejected by the average American—try to pin the blame for gridlock on others. Remember, it has been President Clinton and the far left who have insisted time after time that they would refuse to compromise on reform. Maybe it is time to stop blaming and to start working with those of us who want health care reform that represents the will of the American people and a bipartisan consensus of Congress.

GEPHARDT BILL GUARANTEES EMPLOYEES A CHOICE OF HEALTH CARE COVERAGE PLANS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, over the weekend, the public affairs shows featured an array of political heavyweights trading rhetorical punches on health care reform. But, the time for sloganeering and sound bites has past, and it is critical in the waning days of this debate that we discuss how reform will affect people's lives. That is why Mr. GEPHARDT has put together health care scenarios to help explain how his legislation works for all Americans.

Take the case of Mr. Strong. Like many Americans, Mr. Strong works in a small company and is currently uninsured. Under the Gephardt bill, by January 1, 1997, he will be guaranteed health insurance. He will have four choices:

A private plan offered by his employer.

A provider plan offered through the Federal Health Benefit Program.

If his employer chooses not to offer private coverage, he may obtain coverage through Medicare part C. If his employer chooses Medicare part C, he will have a choice of a plan offering an unlimited choice of doctors or a managed care plan.

A medical savings account, if offered by his employer.

One more reason to support the Gephardt bill, the only health care bill that guarantees coverage to every American and makes certain that consumers retain choice of plan and choice of physician.

THE DEMOCRAT HEALTH REFORM PLANS ARE FULL OF MYTHS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, the Clinton-Gephardt or Clinton-Mitchell health care plans are full of myths. One of those myths is that America can afford nationalized health care. That is just not true. The Clinton-Mitchell bill contains 17 new taxes to be felt by the middle class, mostly. The Clinton-Gephardt bill contains an

increase in the tobacco tax, a tax on insurance premiums, a tax for employers whose employees are covered somewhere else, such as by a spouse, and a new tax revenue by extending Medicare to more people.

Mr. Speaker, the Clinton-Gephardt health plan costs America $226.7 billion in new taxes, and only makes deficit reductions of $17 billion. They have to use the money from these taxes to fund their increased funding and expanded entitlements.

Mr. Speaker, Americans do not want, do not need, and do not deserve to be overtaxed so Congress can spend more. Unlike Congress, the American people know the difference between myth and reality.

THE CIA TAKES DECEIT TO A NEW ART FORM

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the CIA has taken deceit to a whole new art form. Check this out. The CIA lied to Congress about mining the harbors in Nicaragua, lied to us about assassination booklets in Nicaragua, lied to Congress about Pan Am 103, lied to Congress about Iran-Contra sales, lied to Congress about the death of Frank Olson, but now, Mr. Speaker, this is the big lie, el supremo fibbo. They are building a $350 million Taj Mahal, 1 million square feet, and guess what they told Congress: It was an office building for Rockwell International. Beam me up, folks.

Mr. Speaker, I say we should convert that Taj Mahal to a prison and start up by locking up these lying, thieving, stealing CIA nincompoops. That would be cost effective and even intelligent. Think about it.

□ 1250

THE AMERICAN PEOPLE WANT THE FACTS ABOUT WHITEWATER

(Mr. RAMSTAD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAMSTAD. Mr. Speaker, why is the White House afraid of the appointment of a new independent counsel to investigate Whitewater? Why have they orchestrated an attack on Kenneth Starr if they have nothing to hide? After all, Mr. Starr was on Attorney General Reno's original list of proposed special counsels. The Attorney General thought enough of Mr. Starr to put him on that list. Mr. Speaker, the American people have every right to know the facts about Whitewater. Let us leave the independent counsel alone so he can get to the truth about Whitewater. Let us have a thorough, complete, impartial investigation of Whitewater and no more whitewashings. Let us lay off the new independent counsel so he can do his job of finding the truth. Let us let the chips fall where they may.

Mr. Speaker, the American people deserve nothing less.

SUPPORT URGED FOR THE PRESIDENT'S POLICY ON CHINA

(Mr. TUCKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TUCKER. Mr. Speaker, I rise today in support of the President's policy on China and therefore I urge a "yes" vote on the Hamilton alternative to H.R. 4590. I think we all agree that the human rights situation in China has a long way to go before meeting our expectations. The question before us today is, how are we going to influence and move China and its nearly 1.2 billion people toward a more democratic, peaceful, and humanitarian direction?

Mr. Speaker, China is a big country, we must use a multilateral approach to improve the treatment of the Chinese people. We do not need to unilaterally provoke China into retaliating against the sanctions contained in H.R. 4590. H.R. 4590 advances the artificial link of economic activity to human rights thereby causing pain to all involved. I urge my colleagues to vote for the Hamilton substitute to H.R. 4590.

DON'T RUSH A HEALTH CARE BILL

(Mr. EHLERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EHLERS. Mr. Speaker, this morning I browsed through some of the letters I have received over the past 2 or 3 weeks from my constituents about health care. I find there is a great diversity of opinion. Some are in favor of the Government operating a health care system. Others are opposed to it. Many address specific points that they either like or dislike about the proposals. But on one thing, they are almost unanimous, and, that is, "Don't rush." Many say wait till September. Some say get politics out of it. Wait till after the election. Others say study it carefully and do it next year. But they all say, "Don't rush. Take your time and do it right."

And what is our situation today? We are being presented with a bill which we have not even received which we are expected to read, to study and to understand and vote on in just 5 days. That is absurd and contrary to what my constituents want. Let us not rush. Let us take our time and let our constituents read the bill and speak to us about what we should do about the bill and its specifics.

THE SAME OLD SONG

(Mr. MENENDEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, the American people are tired of business as usual in Washington.

Would you not be tired if you heard the same thing over and over? Every time Democrats propose a real plan for progress, the Republicans say no. They say it will cost jobs and hurt the economy.

They said it 60 years ago, when President Roosevelt wanted to pass Social Security. They said it 30 years ago, when President Johnson wanted to pass Medicare. They said it 1 year ago, when President Clinton wanted to pass his deficit-reduction package. And each time, we have looked back with pride on our accomplishments, while the naysayers ate crow.

It is little wonder, then, that today the American people say they are tired of business as usual, since Republicans are singing the same old song on health care. There is only one page in the obstructionist playbook, Mr. Speaker. The play never works, but it sure is easy to learn.

THE PEOPLE WANT HEALTH CARE DONE RIGHT

(Mr. ROTH asked and was given permission to address the House for 1 minute.)

Mr. ROTH. Mr. Speaker, speed is a quality we look for in our athletics, and it is even a good hit title in a movie this summer, but it is bad public business when it comes to changing our health care system. I have held 83 town hall meetings this year throughout my district. Yesterday in Green Bay, WI, I assembled a large cross-section of people from across my district for a final review of the health care proposals.

The message was loud and clear: "Congress, before you pass a bill, we the people want to know what it will cost, what it will deliver. In other words, what's in it."

From the Newsweek poll, we find that two out of three of every Americans agree, wait until next year, if necessary, to get the health care job done right. So the message from home is: We the people want real health care reform, but we want it done right.

Health care legislation will affect every man, woman, and child in America. I have asked the majority leader to call a recess after we see the bill and before we cast the final vote so the people that we represent can examine the health care policy and tell their representatives how they feel about this bill. The American people are in no mood to buy a pig in a poke, especially when it comes to health care.

ABUSE OF SEPARATION OF POWERS

(Mr. APPLEGATE asked and was given permission to address the House for 1 minute.)

Mr. APPLEGATE. Mr. Speaker, Robert Fiske was fired, Ken Starr was hired by three Federal judges. Federal judges, separate branches with separate powers playing politics with the executive branch. It is a violation of impartiality and the separation of powers. I say they ought to be impeached, because that is the only way that we can get rid of incompetent Federal judges. Mr. Starr may be a good attorney but he has a political bias against President Clinton. I say that he should step aside with the judges. Leave the investigatory work to competency and independence. Give the people of this country what they want and what they deserve, and, that is, the truth; nothing more or nothing less.

CRIME IS NOT SPELLED P-O-R-K

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, after 18 months of debate, the Clinton administration is on the verge of getting its long-sought economic stimulus package. Their marketing strategy; dress it is up as a crime bill.

In fact, the bill's best and most public feature, 100,000 new police nationwide, is a fraud. The measure provides less than $15,000 per officer. While in reality, it will cost taxpayer's between $70,000 to $80,000 per officer, leaving cities scrambling for substantial matching funds.

On the other hand, all of President's Clinton's social programs, such as midnight basketball games and arts and crafts programs, are fully funded—at taxpayer expense.

Regardless of the financial burden, administration officials say that all opposition to the crime bill is in the back pocket of the National Rifle Association. Well, this simply is not the case.

Let us take a look at just a few of the groups opposed to the crime bill. Amnesty International, ACLU, NAACP, and nearly every taxpayer watchdog group around. Quite a mixed bag, but definitely not a partisan one.

The American people are not easily fooled and they will be anything but amused when we pass along the bill for this unwarranted $30-plus billion social spending package.

Let us give the American people real crime control measures, instead of simply serving them more pork. I urge my colleagues to vote "no" on the crime rule.

79-059 O—97 Vol. 140 (Pt. 14) 33

REMOVE MFN STATUS FROM CHINA

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, very shortly this House will begin debating something called most-favored-nation to China. I ask the question, why should China be a most-favored-nation to this country, a nation that does not practice free elections, a nation that does not give dignity to its people in the workplace, a nation that has no respect for the environment? If we look at the economics of it, and this is really important, I ask again why should we give most-favored-nation to China when in fact our trade deficit with them is now hemorrhaging over $30 billion this year alone and they are sending us a piddling $7 million or $8 million if they allow our goods into their marketplace. That means our people lose jobs, their people gain jobs, and they work for nothing over there.

Today in the Washington Post on the front page there is a story about Boeing going to be putting production that it makes currently in Wichita, KS, rear tail sections for airplanes, moving that to China. Why should we be granting most-favored-nation to China when in fact we should be granting most-favored-nation to our people here at home? Our people are the ones that need the wages, our people are the ones that need the work. I think it is absolutely abominable that we would be faced with voting for this measure today which will cost us over $30 million in lost tariff revenue and do nothing to create good jobs here in the United States.

□ 1300

HASTE IN HEALTH CARE

(Mr. EVERETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, as the old saying goes, haste makes waste, and in the case of the health care reform, haste makes a lot of waste.

As the Democratic leaders push ahead with their plans to ram health care reform through the Congress, I urge them to remember this simple three-word cliche, "haste makes waste."

Health care reform is one of the most important legislative issues we will do this Congress. It will directly affect the lives of all Americans daily. If we mess it up, we mess up the lives and livelihoods of millions of Americans.

The best way to build consensus on this legislation is to go home with the various alternatives and go through them with our constituents before we vote.

The last thing that should be done is craft a bill in the back rooms of the Capitol without the input and guidance of the American people. Mr. Speaker, haste in health care means waste in effort, waste in lives, waste in money in the future.

Let us come up with a true bipartisan bill our constituents understand and approve of before we vote.

VOTE AGAINST THE RULE ON THE CRIME BILL CONFERENCE REPORT

(Mr. VOLKMER asked and was given permission to address the house for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, Members of the House, it is my understanding we are supposed to take up the crime bill tomorrow. When we do, I would like to urge all Members to vote "no" on the rule.

The reason I say that is that we, especially from the Midwest and areas where people hunt and fish and enjoy the outdoors, love to use our semiautomatic rifles and shotguns, as I do when I go deer hunting and for other purposes.

That crime bill presently provides that there will be a lot less semiautomatic rifles and shotguns in the future for hunters and sportsmen out there.

Now, if they really want to, those that are antigun, really want to pass a bill, they have got a bill over in the Senate that was passed by the House. They can take it up there. They do not have to have it in the crime bill.

Semiautomatic weapons were used in less than 1 percent of homicides in 1992. Knives were used in over 3 percent of homicides.

Why do you want to take away my semiautomatic rifle and shotgun so I cannot go duck hunting, goose hunting, and deer hunting?

HEALTH CARE BILL WRITTEN IN SECRET, STILL UNAVAILABLE

(Mr. McKEON asked and was given permission to address the House for 1 minute.)

Mr. McKEON. Mr. Speaker, as a member of the Republican freshman class, I, like my colleagues, was elected by the people of my district on the platform that Congress must change the way this institution operates. Unfortunately, the approach to reforming healthcare, under the House leadership, reflects the same old way of doing business.

We have now been told by the House leadership that next week the House of Representatives will debate and vote on healthcare legislation. Yet, the only bill guaranteed a vote next week is being crafted behind closed doors, and at this time, is not available for review by Members of Congress nor the American people.

It is imperative that as a legislative body the House of Representatives has the opportunity to study any healthcare bill before voting on it. Additionally, Members should have the chance to return to their districts to discuss and receive input from the very people that will be affected by these reforms.

This is what our Founding Fathers envisioned when writing the Constitution, an open forum that allows the American people to participate in the legislative process. Mr. Speaker, that is democracy.

THE DREADED "T" WORD

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, Washington is abuzz in dreaded words. We have the "T" word, tax, and everybody runs in terror from taxes. We have the "D" word, which is deficit. Everybody runs in terror from deficits. And now we have another dreaded word called the "I word, incremental, and it has to do with health care reform.

People say you cannot reform this system incrementally, little by little, step by step. You have to take the big plunge. And, yet all of us who tinker on cars know that when you have a problem with a car, you start from a kind of conservative approach. You see what might be visibly wrong, a wire that is not plugged in, a screw that is not tightened, before we pull the engine. When we practice medicine, we take an aspirin first, then we see the physician, and maybe, hopefully not, but maybe surgery thereafter. But we take things step by step.

I think that Washington is incorrect in being stampeded or scared to death by the word "incremental" as to health care reform. It seems to me we ought to start with the problems of portability, start with the problems of preexisting coverage, start with the problem of cost of coverage, but somehow start at the start, and then work to the eventual conclusion, not just take the whole thing whole hog.

Mr. Speaker, I hope that this is one time when the summer is not characterized by a dread of this word "incremental."

HEALTH CARE PLANS MUST BE STUDIED

(Mr. HOEKSTRA asked and was given permission to address the House for 1 minute.)

Mr. HOEKSTRA. Mr. Speaker, the process that we are going through over health care reform, I believe, is confirming the worst fears the American people have about Congress. People realize that this Congress is ready to pass a bill that none of us have read and that we will not fully understand.

Two weeks ago the leadership set an ambitious timetable for completing the debate on health care, and this was after they declared all previously discussed health care bills null and void.

At that time the leadership said new bills would have to be crafted and submitted no later than 6 p.m., August 3, giving us a full 15 days to read 5,000 to 6,000 pages of legislation in perhaps getting ready for the most important debate to be discussed by this Congress in a generation. That deadline came and went, and we saw no bills. Then the leadership set a new deadline of 6 p.m. yesterday, condensing the amount of time of debate to 11 days. That deadline came and went, and we saw no bills. Yesterday a new deadline was set for 6 p.m. tomorrow, August 10, leaving us only 9 days for debate. Now we will see if that deadline is met.

Now is the time and place for real congressional reform. Let us put in place a responsible process that this Congress can be proud of.

THE BURDEN OF PROOF IS ON MR. STARR

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, as a lawyer, I would not like to be in Kenneth Starr's shoes. His sudden appearance to investigate the President raises more genuine appearance questions than those which were said to have disposed of Robert Fiske.

Mr. Fiske was an appointee of the Attorney General, and for that reason, and only that reason, his replacement was understandable. Mr. Starr is an appointee of a court, but he brings openly partisan baggage that makes clear that courts can have highly imperfect and tainted judgment on these matters as well.

Mr. Starr's appearance of impartiality is not aided by his attachment to the Paula Jones lawsuit, his foregone Senate race, and his absence of criminal law experience. However, after $2 million and 6 months of work by Mr. Fiske, replacing Mr. Starr would bring only more confusion, expense, and delay.

Getting on with it without fear, favor, and, I might add, redundancy is in order. The burden of proof now is on Mr. Starr. It is a heavy burden, indeed.

THE CLINTON-GEPHARDT PLAN: MORE GOVERNMENT FOR WHAT ILLS YOU

(Mr. HUTCHINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUTCHINSON. Mr. Speaker, House leaders have declared the Clinton-Gephardt health care plan is not the Clinton plan. They are right. The Clinton-Gephardt plan is worse.

The Clinton plan would have forced almost every American into a Government-run health care purchasing cooperative. The Clinton-Gephardt plan trashes this bad idea and replaces it with something at least as bad, a new Government-run health care plan called Medicare part C. This new entitlement program would run health care for 90 million Americans.

If you add Medicare parts A, B, and C, it means Government-run health care will cover over half of the country. According to a recent Newsweek magazine poll, 65 percent of the American people say, "Let us wait and start over on health care." By 2 to 1 they say, "Let us wait and start over. Let us do it right."

I received a letter yesterday from 11 hospitals from the State of Arkansas, rural hospitals, who sent that same message, "Congressman, wait until next year. Let us do health care reform right."

And the American people are right. They deserve better. Let us wait. Let us read the bill, study the bill, and let the American people react to that bill.

WELFARE REFORM

(Mr. BARCA of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARCA of Wisconsin. Mr. Speaker, and Members, one issue that we have discussed for some time but has yet to really emerge from this Congress that I want to encourage us all to continue to focus our attention and our efforts on is the issue of welfare reform.

□ 1310

The President has brought forward a bill, and many Members have brought forward bills. The Committee on Ways and Means had a hearing over the course of the last couple of weeks, a very constructive hearing to begin discussing this very important issue. I would hope we could still address it yet in this Congress, but I think the framework under which this should be discussed is with the notion that people should be better off working than not working.

Mr. Speaker, I will be introducing a bill later this week or the first part of next week to give States more flexibility when they want to change their earned income disregards to allow that principle, to make it so that people are better off working than not working.

States have come forward asking for waivers. I think the national Government should respond and grant them these waivers.

Mr. Speaker, I ask unanimous consent on both sides of the aisle to help me cosponsor this and put welfare reform on the front burner.

H.R. 4742, CALIFORNIA FIRE SUPPRESSION BILL OF 1994

(Mr. HERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERGER. Mr. Speaker, throughout the West, our forests are erupting in flames. Whether it be Colorado, Washington State, or my State of California, emergency conditions call for immediate action.

For this reason, I have introduced H.R. 4742. By declaring a state of emergency on national forests in California, this legislation will free our professional foresters from restrictions that are currently preventing them from reducing natural fuels and saving our forests. Without the immediate reduction of these fuels, our forests in California, which have experienced 7 drought years during the last 8 years, will continue to be destroyed by out-of-control wildfires.

This bill could also be amended to include other western States facing the same crisis. If we are truly serious about saving our forests, we must pass H.R. 4742 immediately.

THE 50TH ANNIVERSARY OF OPERATION HALYARD

(Mr. CRANE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRANE. Mr. Speaker, 50 years ago today—on August 9, 1944—one of the most daring OSS missions in history resulted in the rescue of 250 American airmen who had been shot down following air raids on oil installations and communications in Romania. Three waves of C–47's lifted the men to safety from a makeshift airfield only 90 miles from Belgrade, Yugoslavia. In subsequent missions, the total of rescued airmen reached 800.

During the first part of 1944, hundreds of Allied sorties were flown from Italian bases against the Ploesti oil complex in Romania, Hitler's most important source of oil during World War II. The losses were heavy. Since the route home led across Yugoslavia, and because the Serbian area was under the control of General Draja Mihailovich, Royal Yugoslav resistance leader, hundreds of American airmen who had to bailout over Yugoslavia were picked up by Mihailovich's fighters. The rescued airmen were thus saved from capture and imprisonment by German troops who occupied Yugoslavia.

Under cover of darkness, C–47's flew the men from the airfield. Within a radius of 20 to 30 miles from there were half a dozen German garrisons ranging in size from several hundred to several thousand men. A Luftwaffe unit was stationed at an airfield just 30 miles away.

It is believed the rescue—code named "Operation Halyard"—was the largest and most daring operation of its kind conducted anywhere in Axis-occupied Europe during World War II.

It is only fitting that we recall the rescued and the rescuers on this day, the 50th anniversary of "Operation Halyard."

A $310 MILLION SECRET BUILDING: ABUSE OF TAXPAYERS' DOLLARS

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, almost every day we see examples of how the Federal Government is simply out of control.

Today's front pages carry a story about how one Federal agency "has concealed from Congress the mushrooming cost of a $310 million compound it has been secretly building near Dulles Airport."

The Agency is the National Reconnaissance Office. This is an office overseen by the CIA and the Department of Defense. Both U.S. News & World Report and the Washington Times have recently run articles about how wasteful and incompetent the CIA is. Now we have another intelligence operation blowing over $300 a square foot for a palace of an office while hiding facts about it from Congress.

Unelected Federal bureaucrats, overly protected by the Civil Service System, are wasting the peoples' money in almost unbelievable ways.

We need a strong intelligence operation. But our present intelligence agencies did not even predict the fall of the Berlin Wall or the breakdown of the Soviet Union.

We are spending billions and getting almost nothing in return.

We need to greatly decrease the size of our Federal Government. Unless and until we do, we will continue to see abuses like this $310 million secret building.

Our bureaucrats are living royally while our taxpayers are struggling to get by.

AVOID THE ENTITLEMENT TRAP

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, it is no secret the health reform debate has become one huge political temptation. To create the momentum needed to move such a massive bill, President Clinton's spin doctors have made the glowing promise of new and cheaper benefits the mantra of every single stump speech. And now they are daily stump speeches. While these unfulfillable promises make good for election year sound bites, Americans wisely are not buying so say the polls. We on the hill cannot ignore fiscal reality.

Yesterday, the bipartisan commission on entitlement reform released its interim report. It warns very bluntly of our ever-growing and very real impending budgetary crisis while certifying that our existing health entitlements have been prime engines in driving up entitlement costs.

As we take up health care reform next week, we need to rethink our approach. One thing is very sure: We cannot afford to create and entrench another entitlement program such as the Clinton health reform plan is calling for. And we cannot afford to promise more than we can deliver. We already have a $4.5 trillion IOU out there that we call the national debt. Can we learn from our mistakes?

Can we avoid the entitlement trap? Not if we keep telling the American people that the Clinton-Gephardt plan is the answer to health reform, because it is not.

HEALTH CARE REFORM: WE HAVE NOT EVEN SEEN THE BILL

(Mr. LINDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINDER. Mr. Speaker, last evening during special orders several members of the other party took the floor of the House to urge us to move quickly on health care reform. They said we have been studying it for 2 years.

Well, we have been studying the problem for 2 years, but we have not yet seen the bill to solve the problem. It is not even written.

The gentlewoman from Connecticut a few days ago stood here with a large chart, telling us precisely what will be offered. But I have not seen the bill. It is not written. Does she have the only copy? Are they not going to share it with us?

She said that bill would give more choice to the American people than they have now. It is arrogant to suggest that our choices come to us because of a benevolent Government. We have choices because we live in a free society, a condition the Clinton administration seems hell-bent on changing.

Please, Mr. Speaker, let us read the bill before we vote on it.

BREAKDOWN IN LEADERSHIP

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I detect a breakdown in leadership around here. At this late date there is no rule on the crime bill, the health care bill has not been written. Why this breakdown? Because the Democratic leadership is pushing legislation that the American people do not want.

Let us take crime, for instance. $9.1 billion for social spending, midnight sports, community youth academies, olympic youth development, and the like. Americans want less giveaway programs and more work programs.

Now let us talk about health care. Right now they do not have a bill. It is not going to be debated fully; we are going to sit here in the middle of the night and vote for it. We do not know whether it is budget neutral, and on and on and on.

Health care, crime, we need leadership, and we do not need to vote for these programs in the middle of the night.

PROVIDING FOR CONSIDERATION OF H.J. RES. 373, DISAPPROVING MOST-FAVORED-NATION TREATMENT FOR CHINA AND FOR CONSIDERATION OF H.R. 4590, UNITED STATES-CHINA ACT OF 1994

Mr. BONIOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 509 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 509

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 373) disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China, and for other purposes. All points of order against the joint resolution and against its consideration are waived. The joint resolution shall be debatable for eighty minutes equally divided and controlled by Representative Solomon of New York and Representative Gibbons of Florida or their designees. Pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion. The provisions of sections 152 and 153 of the Trade Act of 1974 shall not apply to any other joint resolution disapproving the extension of most-favored-nation treatment to the People's Republic of China for the remainder of the One Hundred Third Congress.

SEC. 2. After disposition of the joint resolution (H.J. Res. 373), the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4590) to provide conditions for renewing nondiscriminatory (most-favored-nation) treatment for the People's Republic of China. The first reading of the bill shall be dispensed with. All points of order against the bill and against its consideration are waived. General debate shall be confined to the bill, and the amendments made in order by this resolution, and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule and shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived. If more than one of the amendments printed in the report is adopted, only the last to be adopted shall be considered as finally adopted and reported to the House. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been finally adopted. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1320

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The gentleman from Michigan [Mr. BONIOR] is recognized for 1 hour.

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], and pending that, I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, 5 years ago, the eyes of America and much of the world were focused on a place called Tiananmen Square and a group of young Chinese students who tried to change the world.

They quoted Thomas Jefferson.

They read from our Constitution.

They built a Chinese version of the Statue of Liberty.

They faced down tanks and they marched for freedom. In our memories, those images still burn.

Time and time again the past 5 years, Members have stood on this floor and said "we cannot forget the students who marched at Tiananmen Square."

We cannot forget those who risked their lives for freedom.

Today, Mr. Speaker, we find out if we really meant it.

Today, we find out if we really are going to stand up for democracy and human rights in China.

This debate is really about some very simple questions.

Do we really believe that we should reward China with unconditional most-favored-nation trading status even though they have made no progress on human rights and even though China does not extend MFN to us?

Do we really believe that we should give special trade benefits to products made by the Chinese army even though they use prison labor and even though the profits go to support the same people who drove the tanks at Tiananmen Square?

Do we really believe that we should ask American taxpayers to subsidize products made by Chinese workers earning 10 cents an hour even though those imports have cost America over half a million jobs and even though it's led to a trade deficit of $23 billion with China?

Do we really believe that?

Those are the questions we are here to debate today.

Those are the questions we are here to answer.

To be honest, I wish we didn't need to have this debate.

I wish we could be celebrating China's progress.

But 15 months ago, America issued a challenge to China: either improve your human rights situation or pay the price.

And sadly, 15 months later, it's clear from any reasonable accounting that the situation in China is getting worse, not better.

In the past 15 months alone, there have been over 500 new documented cases of political torture and abuse at the hands of the Chinese Government.

From the use of electric shock, floggings, and iron rods on prisoners to religious persecution in Tibet.

From political arrests in the middle of the night to forced prison labor on products that are shipped to America.

From the imprisonment of people for nonviolent expression of political ideas to dissidents who disappear without a trace.

The stories come in by the dozens, every week, week after week.

In the 3 months that have passed since the administration's last announcement, organizations like Asia/Watch have documented 17 new cases of disappearance and arrests in China.

And the Chinese Government itself recently thumbed its nose at the international community and said it would continue to crack down on dissenters who commit the crime of exercising free speech.

That is the reality in China today.

We know it. They know it. The international community knows it. Even supporters of MFN for China know it.

The question we have to answer today is, what are we going to do about it?

Are we going to continue to unconditionally subsidize torture in China? Or are we going to use the economic leverage of MFN to promote human rights in China?

That's the question.

And today, we are presented with three very different answers to this question.

Three very different options about which direction we should head.

We can either reward China by renewing MFN unconditionally.

We can cut off MFN altogether.

Or we can choose a compromise with limited sanctions that target the most egregious offenders of human rights in China today—the military and the state.

Those are the three options before us today.

The first choice is the Hamilton amendment.

The Hamilton amendment will be seen as an endorsement of the status quo in China today.

It says the way to improve human rights in China is to let them keep doing what they're doing, that the best way to respond to the human rights abuses are to grant them unconditional most-favored-nation trading status—no ifs, ands, or buts about it.

The Hamilton amendment would even grant special status to products made by the Chinese army and by the state.

These are the very people who arrest, who torture, and who abuse the right of people in China today.

These are the people who drag innocent civilians out of their homes in the middle of the night.

These are the people who manned the tanks at Tiananmen Square.

These are the people who are forcing prisoners to work at gunpoint to make products to ship to our market.

And the Hamilton amendment would continue a policy that subsidizes this kind of behavior.

Mr. Speaker, we have been down this road before.

This is the same thing we've been doing for the past 5 years.

We have unconditionally extended MFN for China time and time again, and the situation has just gotten worse.

Why should we do it again?

China does not even grant MFN status to American products.

Let me say that one more time, Mr. Speaker: China does not grant MFN status to American products.

Even after recent reforms, China routinely charges ten times more to let our products into their country than we do to theirs.

Is it any wonder why our trade deficit with China is expected to grow from $23 to $30 billion this year?

We are the only major industrialized nation in the world that has a trade deficit with China. All of our competitors impose high tariffs on Chinese goods because they know many Chinese products are made with prison labor.

Yet, the Hamilton amendment is asking our workers to compete with workers who earn 10 cents an hour.

We're asking them to compete with a nation that exports products made from prison labor.

We're asking them to compete with a nation that refuses to accept even modest labor provisions.

Unconditional MFN undercuts both American workers and American jobs.

There are those who say that our exports to China creates jobs.

But what about the more than half a million jobs that we have lost due to Chinese imports? What about the huge trade imbalance that we must now bear?

The question is not how many jobs revoking unconditional MFN will cost us. The question is, how many jobs is MFN costing us now?

We can do better than the approach embodied in the Hamilton amendment.

We can do better than unconditional MFN.

The other two amendments before us today offer a clear choice.

On one hand, the Solomon amendment would revoke MFN altogether.

There is certainly a case to be made for revoking MFN outright, and the gentleman from New York, who has been such a strong defender of human rights in China, has forcefully and passionately made his case time and time again.

And given the worsening situation there, his approach is certainly understandable.

But the Pelosi amendment offers a clear compromise between those who would advocate total revocation and those who unconditionally renew MFN.

Let's be clear what this amendment does not do.

The Pelosi amendment does not propose that we eliminate most-favored-nation trading status altogether.

It does not hand a "Keep Out" sign on the United States border for Chinese products.

And it does not turn our backs on the China market.

The Pelosi amendment simply targets the most egregious offenders of human rights in China today specifically the military and the state and says that if you want to produce toys, toasters, or tennis shoes in the sweatshops of the Chinese army the United States is not going to subsidize it and we're not going to force our workers to compete with it.

Specifically, the Pelosi amendment would target $5 billion worth of sanctions on products made by the Chinese military and other state-run agencies.

It would affect just 15 percent of our total trade with China and it would do so while extending MFN status to private businesses that trade with the United States.

Mr. Speaker, every year, China ships hundreds of millions of dollars worth of products to the United States hundreds of millions of dollars worth of products which come in under special trade status which are made in the sweatshops of the Chinese army.

In fact, last year the Chinese army used the profits garnered under MFN to increase its defense budget by over 20 percent and to step up its reign of terror, torture, and abuse of the Chinese people.

Mr. Speaker, the United States should not be in the business of subsidizing torture.

We should not be in the business of subsidizing forced prison labor.

The Pelosi amendment simply uses the economic leverage of MFN to promote human rights and to send a clear message: that if you want to do business with the United States, you have to respect your own people.

Only then can we compete on the quality of the product, and not on the misery and suffering of the people who make it.

Five years ago, we rallied to the cause of the Chinese people.

Today, it's time to decide if we really meant it.

It's time to decide if we're going to stand with the people of China who have stood up for democracy.

To stand with those people who have risked their lives for freedom in China.

And to stand with those people in our own country who are fighting for American workers and American jobs.

Mr. Speaker, House Resolution 509 provides for the consideration of three alternative approaches to U.S. trade policy toward the People's Republic of China.

The rule first provides for the consideration of House Joint Resolution 373, a resolution disapproving the extension of most-favored-nation treatment for the products of China. The rule provides 80 minutes of general debate, equally divided, and waives all points of order against the resolution.

After final disposition of House Joint Resolution 373, the rule provides for the consideration of the bill, H.R. 4590.

The rule provides for 1 hour of general debate on the bill, equally divided, and makes in order two substitutes under a king-of-the-hill procedure. All points of order against the bill—and against both substitutes—are waived.

The substitute offered by Representative HAMILTON will be considered first, followed by a substitute offered by Representative PELOSI. The last substitute to be adopted in the Committee of the Whole will be reported back to the full House.

Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, this is a fair rule, and I urge my colleagues to support it.

□ 1330

Mr. Speaker, at this point I will halt my comments on the rule and say to my colleagues as they approach this issue this afternoon and early this evening on the floor that I beg them to listen to the debate and to consider the three options before us, and I ask them to consider what was in their hearts, what was on their minds, and what was on their lips 5 years ago when they spoke out so strongly against what was happening in China and what is continuing to happen today.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Michigan [Mr. BONIOR] has adequately

described the rule, so I will not go into the details now.

This rule is indeed complicated, because it provides for the consideration of three measures.

However, I would advise Members that this rule is the product of genuine bipartisan consultation.

And it does provide the House with the means for conducting a full, fair, and expeditious debate on the very important subject of most-favored-nation trade status for the People's Republic of China.

Without repeating everything that was said by the gentleman from Michigan, I would simply reiterate that this rule provides, first, for the consideration of House Joint Resolution 373, the resolution of disapproval that I introduced on June 8.

That resolution of disapproval would, if enacted, revoke China's MFN status 60 days after the date the resolution was enacted.

Needless to say, I strongly urge a "yes" vote.

Following the vote on the resolution of disapproval, the House shall proceed to a king-of-the-hill procedure for the consideration of a bill introduced by the gentlewoman from California [Ms. PELOSI], and a bill introduced by the gentleman from Indiana [Mr. HAMILTON].

Mr. Speaker, I do not support king of the hill procedures like this and I voted against it in the Rules Committee. However, as I just mentioned there was bipartisan cooperation on bringing these three bills to the floor with as much as 4 hours of debate on these controversial measures and therefore, as we have done in the past, like on the defense authorization bill, we will not press the king of the hill issue, because all sides were consulted * * * and the author of the bill agreed to the king of the hill procedure.

Mr. Speaker, I shall have a number of things to say later on at various points during the actual debate on these several measures.

But for the rest of my time on the rule right now, I would like to take a few moments in order to put the question of China's MFN status in perspective.

Mr. Speaker, I do not offer a resolution of disapproval flippantly or to otherwise intrude on a very busy legislative schedule.

But I do so because it is my conviction that America's interests, and the interests of the Chinese people, are not served by a continuation of the present policies.

Mr. Speaker, the trade balance between our two countries is seriously out of whack. Measured in both qualitative and quantitative terms, this trade relationship makes no sense at all.

And it also sends precisely the wrong message to the Chinese people.

Mr. Speaker, and colleagues, however monolithic and permanent the Chinese communist regime may appear to be, let us never lose sight of the fact that someday that regime is going to fall.

And before anybody says that cannot happen, I would remind you that everybody used to say the same thing about the Soviet Union and about the Chinese regime's best friend, the Ceausescu regime in Romania.

Mr. Speaker, I cannot predict what kind of government will follow the communists in China, but there can be no doubt concerning the aspirations of the Chinese people.

And, frankly, when the day comes for the Chinese people to take control of their own country, and their own destiny, I want them to remember that America stood with them.

I want them to remember that it was America who told the truth about the communists.

I want them to remember that it was America who tried to take the guns out of the hands of their oppressors.

I want them to remember that it was America who refused to finance the arms buildup the Chinese military was rewarded with for its role in crushing the Chinese people in Tiananmen Square.

And I want them to remember that it was America who taught the lesson that freedom and morality are to be valued above everything else.

Because everything else—including, yes, the relentless pursuit of profit—is meaningless if it is not built on a foundation of human dignity and justice.

Mr. Speaker, the people of China are watching us today.

And they are not the only ones. Their oppressors are watching us, too.

I can picture them, the angry old men in Beijing. I can picture them in their walled compound—Zhongnanhai—I have been there. They live in a walled, forbidden city of their own, totally isolated from the people of China.

And they are watching, too. And they are laughing up their sleeve, once again.

You see, Mr. Speaker, it is not just renewal of most-favored-nation trade status that is at issue today. It is also the renewal of what has come to be known as the China exception.

The China exception says that respect for human rights and the rule of law are morally imperative for the people of every country on Earth—except China.

It says that nonproliferation standards apply to the government of every country on Earth—except China.

It says that fair and reciprocal trade practices are expected of every trading nation on Earth—except China.

In short, it says that a minimum standard of decent behavior is required of the leadership of any country that would assume a responsible and rightful place in the community of nations—except China.

Mr. Speaker, every Member of this body wants to see political change and reform in China.

But I will tell you that the angry old men in Beijing have no intention of reforming, so long as they can continue to rely on the annual renewal of the Chinese exception.

Most-favored-nation treatment for them which they deny to us.

Mr. Speaker, let us call their bluff, once and for all.

Vote "yes" on the Solomon resolution and the Pelosi bill as well.

I reserve the balance of my time.

□ 1340

Mr. BONIOR. Mr. Speaker, I yield 3½ minutes to the gentleman from California [Mr. HAMBURG].

Mr. HAMBURG. Mr. Speaker, during the years I lived in China, I learned something about how the Chinese people, and not just the high muckymucks, but the people of China, perceive us.

I think a lot is summed up in two Chinese words: Jin shan and gueiloh. Jin shan means gold mountain, and gueiloh means ghost people. We are the ghost people from the gold mountain.

To the Chinese, a ghost is someone without real substance. So the Chinese believe that somehow we, these people without substance, have struck it rich, beyond the dreams of any ordinary Chinese.

I spent time in China over the course of a decade, and I know how powerful are two major social currents there. One is the fast-rising economic expectations of the people, especially the Chinese born after the 1949 revolution and the Chinese who live among the companies line.

Second is the fast-rising democratic aspirations of a people who have grown weary of a paternalistic and despotic regime.

For most of the decade I was in and out of China, the first trend was definitely more evident. The communist party continued to dominate all aspects of right, from pregnancy, to school, to housing, to occupation. But incomes were rising to the point where the television set replaced the bicycle as the major status symbol, and women could look forward to doing their laundry in a washing machine, instead of using a common spigot out on the street.

But despite these improvements, the central fact that I experienced in China was the people wanted to get out. I stopped going to China shortly after the Tiananmen Square massacre.

It is interesting that the word Tiananmen means gate of heavenly peace. This gate leads to the Palace of the Emperors, the Forbidden City. The Forbidden City for the Chinese is freedom. That is why when the students and the workers in the square erected a replica of the Statue of Liberty, it was

such an affront to the party elite who sat in their walled compounds.

If the 1989 massacre of workers and students was an anomaly, perhaps we could just pay our respects to the dead and move on. But that is not the case.

Political repression, after some slackening in the early and mid-eighties, has returned with a vengeance. The ongoing brutal subjugation of Tibet by the communist regime is an undisputed historical fact, which is still being swept under the international rug, even as we praise the leader of Tibet, the Dalai Lama.

I have heard the argument against denying MFN to China. Denying MFN will not work because it is not an internationally applied sanction. Our corporations will lose profits, our workers will lose export-related jobs. Of course, you hear that the prosperity that we bring will hasten a Democratic opening in the People's Republic of China. Let me remind you that many Chinese believed the same thing before Tiananmen Square.

George Will wrote during the Bush years during the debate on MFN, the conservative columnist, that our policy regarding MFN in China, "That we love commerce more than we hate communism."

In the end I hope Mr. Will is wrong. I hope we do what is right; and we prove that what we really care about, what we really love, is not business, but justice; not simply profit, but principle. I hope that we prove that we are not gueiloh, not a people without substance, living on a gold mountain.

Mr. SOLOMON. Mr. Speaker, I yield 5 minutes to the gentleman from Claremont, CA [Mr. DREIER], a very distinguished member of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend from Glens Falls for yielding me this time.

Mr. Speaker, I rise in strong opposition to a very unfair rule. It is a rigged, king-of-the-hill process which disadvantages the Hamilton amendment in order to benefit the Pelosi amendment.

Although the Committee on Ways and Means reported the Pelosi sanctions bill unfavorably, it became evident to many of us that the Committee on Rules would report the bill to the House floor regardless. In that light, a bipartisan substitute amendment incorporating the President's more comprehensive approach to relations with China was drafted.

The chairman and ranking Republican member of the Committee on Ways and Means and the chairman and ranking Republican member of the Subcommittee on Trade urged the Committee on Rules to make the bipartisan Hamilton amendment in order as a substitute to the Pelosi bill. Rather than follow that judicious recommendation, this rule incorporates the flawed king-of-the-hill process. Instead of giving an advantage to the last amendment offered, I believe that the amendment receiving the most affirmative votes should prevail on the floor.

Mr. Speaker, both sides in this debate share the same goal. We simply disagree on the effectiveness of the different proposals to achieve that goal. I believe that the overwhelming weight of evidence supports the contention that trade sanctions are ineffective in improving human rights. In fact, they hurt the people they intend to help. In this case, the poor working people of China will suffer both economic hardship and increased repression.

President Clinton was correct when he reaffirmed President Bush's policy that the best way to promote human rights in China is to maintain trade by granting China MFN status and pursue a comprehensive diplomatic program in support of human rights.

That comprehensive program is outlined in the Hamilton amendment. It is difficult to argue with the emotional rhetoric of those who want to punish the Chinese government now. However, despite the emotional appeal of imposing sanctions, we need to keep our goals in mind: First, to help the Chinese people; second, to undermine the repressive Chinese leadership.

Sanctions will hurt the Chinese people. Despite the calls of a few expatriates, the Chinese people do not want a monkey wrench thrown into the increasingly market-based economy that is lifting hundreds of millions of Chinese out of poverty.

The Hamilton strategy is also best to undermine the grip of the Chinese Communists over life in China. We do not need a cold war II strategy with the Chinese Communists as the Evil Empire in a sequel to our relationship with the Soviet Union. The Chinese Communists are already losing their ability to control people in the regions of China with the greatest economic development. Let free trade continue to wear away that power.

Free market policies promote trade, which strengthens private enterprise, which creates wealth, which improves living standards, which undermines political repression.

□ 1350

That formula works, Mr. Speaker. In a society 4,000 years old, the changes might not occur overnight, but it will work. There is no reason to believe that a sanction policy can bring any of the same benefits.

The House deserves a fair opportunity to choose between these two human rights strategies. Trade sanctions to make us feel better or the President's trade and diplomatic strategy that will let the Chinese people live better. This king-of-the-hill rule does not provide a level playing field for that choice. Let us defeat that rule and urge the Committee on Rules to do better.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont [Mr. SANDERS].

Mr. SOLOMON. Mr. Speaker, I yield a minute and a half to the gentleman from Vermont [Mr. SANDERS].

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The gentleman from Vermont [Mr. SANDERS] is recognized for 3½ minutes.

Mr. SANDERS. Mr. Speaker, I rise in support of the rule and in support of House Joint Resolution 373, the Solomon resolution to disapprove the extension of MFN status for China. I do not often agree with my Republican friend from upstate New York, but he is right on this issue and I am happy to work with him on it.

Mr. Speaker, this is an issue of human rights and foreign policy, and it is important to us for that reason. But it is also an issue dealing with the loss of American jobs and the lowering of our standard of living—and for that reason it should also be a concern to every Member of Congress.

Mr. Speaker, multinational corporations and the Big Business community have launched a huge lobbying effort to preserve MFN status for China, claiming that their investment creates United States jobs. Unfortunately, they are wrong, very wrong. While it is true that the huge multinationals like Chrysler, AT&T, Boeing and others can in fact make huge profits by investing in China, it is not true that these investments improve the standard of living for the average American worker. In fact, the opposite is the case.

Mr. Speaker, when multinational corporations throw American workers out on the street and move to China where workers are paid 15 cents an hour, where slave labor exists, where basic domestic rights are ignored, and where workers cannot organize free trade unions—that scenario may be good for the profit margins of the big corporations, but it is a disaster for American workers.

It is insane to be talking about most-favored-nation status for a country which allows for the ruthless exploitation of its workers. American workers cannot be, and must not be asked, to compete against the workers in China who in many instances are working under subhuman conditions. I know that this is a very radical idea, but maybe, just maybe, we might want to encourage American corporations to reinvest in this country—providing decent jobs and decent wages, rather than in China where they pay workers 2 or 3 dollars a day.

We are told by the Commerce Department that the $9 billion a year in exports from the United States to China generates 225,000 American jobs. But if this is correct, then what is the effect of the over $30 billion a year in imports

from China—over three times the level of exports? Strangely enough, the Commerce Department hasn't been able to calculate that figure. And I think the reason is clear—it would show that our massive $24 billion trade deficit with China is costing hundreds of thousands of Americans their jobs.

When Chinese students and workers were violently suppressed in Tiananmen Square, Americans and people all over the world were horrified. Politicians vowed to act swiftly and strongly to pressure China to stop its repression. But although the repression goes on, American corporations have decided to put profits ahead of human rights. In fact, between 1988 and 1992, U.S. corporations increased their investments fourfold.

We are faced with a choice today, my colleagues. We can decide to stand with the workers of America, and with the workers of China, in defense of basic human and economic rights. Or we can stand with the multinational corporations who put their own greed ahead of the rights of the people who work for them, here and throughout the world.

Mr. Speaker, it makes no sense to the working people of this country for our Government to be providing preferential treatment to countries that repress their workers. This House should decisively reject MFN status for China, and demand that conditions for MFN renewal for China include the protection of basic labor rights. Vote for the Solomon resolution.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from Iowa [Mr. LIGHTFOOT], a member of the Committee on Appropriations.

Mr. LIGHTFOOT. Mr. Speaker, I thank the gentleman for yielding time to me.

I cannot help but make a short quip here that MFN must be working because the gentleman from Michigan [Mr. BONIOR] had them at 10 cents an hour, the gentleman from Vermont [Mr. SANDERS] has them at 15. That is a 50-percent increase in wages in less than an hour.

Mr. Speaker, I rise in opposition to the rule.

Even when President Clinton makes the right decision, he gets second guessed by the leadership of his own party.

In June, I offered an amendment to the Commerce, Justice and State appropriation to require President Clinton to seek authorization from Congress before invading Haiti. The Democrat leadership of the House opposed my amendment because they did not want tie the President's hands.

A little more than a week ago, I spent 13 hours conferencing the Foreign Operations appropriations bill. It took 13 hours to conference the bill because the Senate had placed over 160 earmarks in the bill. The House Democrat conferees fought to remove most of those earmarks because they said they wanted to give the President maximum flexibility to conduct foreign policy.

Yet we are here today because the leadership of the President's own party has now decided they know better than the President, his advisers and at least two former Secretaries of State. Isn't this our lucky day.

Consider this: House Democrats will give Bill Clinton a blank check to sacrifice American lives in Haiti, to give Jordan debt relief even though they tranship weapons to Iraq and support Russia no matter what steps it takes to rebuild the Soviet Empire. But when it comes to Asia, the House Democrat leadership suddenly finds a foreign policy expertise it must lack in those other areas.

It is ironic that a President who accuses Republicans of obstructionism in health care will depend on our votes today in order to conduct a responsible foreign policy in Asia.

Mr. Speaker, this rule is a joke. King of the hill rules are the invention of a party which likes to appear on both sides of an issue. Well, the Democrats should be subject to the same accountability as the rest of America. I urge a "no" vote on this rule.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding time to me.

I rise in strong support of the Solomon amendment and the rule to disapprove most-favored-nation status with China. Because disapproval does the most for jobs in America and the most for democracy building in China, why should the United States grant such red carpet treatment to send Chinese goods into our marketplace from an undemocratic nation that denies the most fundamental rights to its own people?

This debate is not just about human rights in China, it is also about jobs in America and the conditions under which the United States does business with undemocratic nations of the world.

What do the facts tell us? The facts tell us China MFN is a bad deal for the United States. As this chart well demonstrates, United States-China trade is disturbingly imbalanced in favor of China. Over $30 billion worth of its goods will come into our country this year, and we have only been able to get about $8 billion of our goods into its market. Their rate of increase in our market is much larger than our rate of increase into theirs.

In fact, there has been an 800 percent increase in Chinese goods coming into this country, jobs that could be created right here on our shores.

Take Nike Shoes. Nike Shoes does not employ one single manufacturing worker here in this country. It costs Nike $8 to make a pair of shoes in China, and then they go ahead and send it over here and sell it in our marketplace, like Charles Barkley shoes for nearly $140 a pair. So who is really making out on that deal?

□ 1400

Mr. Speaker, while we are considering reducing them, our tariffs to Chinese goods coming into our marketplace, we see they keep up their tariffs to our goods going into their marketplace.

In fact, Mr. Speaker, they keep their tariffs up 10 times higher than our tariffs, even under MFN. In fact, if we really want reciprocity we ought to vote to maintain the current standards and not grant China MFN. In fact, it is interesting to think about, that one-third of all Chinese exports come to one nation in the world: not Europe, not Japan, only the United States of America.

Mr. Speaker, our doors are completely open, while their doors are closed to us. This debate today, Mr. Chairman, is not just about human rights, because that undergirds the entire relationship between the United States and China. What we would hope for in the years ahead is that they would have their own Bill of Rights, but in fact, the issue of economics and what is driving this particular agreement is those companies that seek to benefit off the sweat of the people of that nation, including the Government of China, and their own leaders who benefit off the hardship of their own people and, unfortunately, the multinational corporations of our own country who turn their backs on our people, as well as the people of China.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia [Mr. WOLF], one of the real fighters for human rights for people around this world.

Mr. WOLF. Mr. Speaker, this debate is about trade, but this debate is also about people. It is about people like Bishop Su, a Catholic leader in China imprisoned for 15 years and beaten with a board so hard that the board was left in splinters; people like Wei Jingsheng, a leading prominent dissident who, after he was released, was rearrested again, and no one in this Congress and in the administration has done anything about it.

This debate is about the People's Liberation Army, the brutal, iron-fisted arm of the Chinese Government, the People's Liberation Army that savagely gunned down this young Chinese student 5 years ago in Tiananmen Square.

This debate is about the army that sold weapons to Saddam Hussein that eventually were used to kill American

men and women in the gulf. This debate is about an army that sells weapons into the Middle East, that destabilizes the Middle East and sells weapons to Iran.

This debate is about an army that continues to test nuclear weapons and engage in massive military buildups. It is about an army that uses money earned from selling socks in America to fund bullets to kill people like this.

This debate is about an army with a relationship as close as lips and teeth to the North Korean dictators, as they said.

This debate is about a government that beats and tortures and imprisons Catholic priests, and Catholic bishops, and Protestant ministers. Today, Mr. Speaker, as we now speak, there are Catholic bishops that are in jail, that have been in jail for years, and now you want to give them MFN? Do you know there are evangelical pastors that are in jail because of their faith, who want to worship God, and yet you want to give them MFN?

This debate is about an army that persecutes the followers of the Dalai Lama and subjects Tibet to an armed occupation.

This debate is about a government that executes prisoners with little or no due process, and before the body grows cold, a set of doctors will come and then cut the cornea and the liver and the kidney out and sell it for organ sales. This is what this debate is about.

Mr. Speaker, this debate is about a gulag camp, a gulag camp that is much worse than that that Solzhenitsyn talked about, a gulag camp that shows the slaves in a chemical processing room making chemicals, and chemicals eat into their bodies.

This debate is really about a government that laughs in our face when we point out about these brutal realities. This debate, frankly, in closing, is about the principle that America was founded upon.

We were founded, and it says in the Declaration of Independence that all men are created equal. It does not say all American men and women, it is Chinese men and women and all men and women, endowed by their Creator, given by God to them, life, liberty, and the pursuit of happiness. That is what this debate is about.

Some will say "It is a trade issue." Frankly, it is about all these things, these people who have been persecuted. I am shocked that we would not be passing the Pelosi bill 435 to zero.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes and 45 seconds to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I rise in support of the rule, and I intend to vote for the Solomon amendment and then also for the Pelosi amendment, which seems to me to be, given where we are, the one with the best chance to pass.

Mr. Speaker, let me first make a couple of points here. The following things will be discussed today by people who have an on-and-off attachment to them:

Whether or not economic sanctions work: Most Members of the House think they work sometimes and not other times. It depends on whether or not they like the country against whom the sanctions are being applied.

Should the President have flexibility in foreign policy or not? For most Members of the House, that depends on A, the President, and B, the foreign policy.

The king-of-the-hill rule. People are for or against the king-of-the-hill rule, depending on which hill it is.

The notion that the king-of-the-hill rule somehow distorts the House probably ought to be taken down when mentioned. That is, it unfairly denigrates the House, because the argument is that when Members vote for something, they cannot understand that if they later vote for something else, they will undo what they did.

In other words, the notion is that the Members are so stupid that, having voted for something once, they will then vote for something else and not understand that they have undone it. Obviously, the king-of-the-hill rule fools no one and is intended to fool no one. It is a rational way to structure a lot of different preferences.

The question is, will sanctions work with regard to China, because people, I assume, are telling us that if they would work, they would be for the bill. They are saying it would not work, the Chinese will not pay attention. That is what they said about South Africa, that is what they said about Serbia. Sanctions are not a short-term solution, but they often do work in the long term.

Mr. Speaker, I would have to ask, if sanctions are so unimportant, what are the Chinese so upset about if they are such a minor factor?

Clearly we have the regime today in the world, the Chinese regime, which is responsible for a greater number of human rights violations than almost all others put together. They have more people to deal with. They are quantitatively the most brutal regime, and qualitatively they are right up there.

Moreover, Mr. Speaker, when it comes to foreign policy, whether it is the North Korean nuclear situation or others, they have not been very cooperative. Why do we continue an economic arrangement which is overwhelmingly to their benefit? Because that is what MFN is.

Let me make one particular point. Sure, there will be some economic harm to us if we adopt Solomon or Pelosi. We have been telling nations much smaller and poorer than ourselves that they must engage in some economic harm to themselves vis-a-vis Iraq. We have told Turkey that they have to take a hit vis-a-vis Iraq. We have told that to other countries. We ought to do it for ourselves.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from New York, Mr. BEN GILMAN, the distinguished ranking Republican member of the Committee on Foreign Affairs, who has been a real leader of this issue.

Mr. GILMAN. Mr. Speaker, I rise in strong support of the rule for House Joint Resolution 373, legislation to fully revoke most-favored-nation trading status for the People's Republic of China.

I commend my good friend and colleague, the gentleman from New York, the distinguished ranking minority member of the Rules Committee, Mr. SOLOMON, for his leadership role and efforts on behalf of the Chinese people. For so many years through thick and thin he has never wavered in his support for our Chinese friends who fought Communist takeover of China. No matter who ran the White House, Congressman SOLOMON has stood before us in the well of the House to forcefully denounce, confront, and condemn any action that appeared to appease the rulers in Beijing.

It is an honor to count him as a colleague and a good friend.

Most of us are familiar with the arguments made both for and against the granting of most-favored-nation trading status for the People's Republic of China. This is the fifth year we have discussed this issue.

As we consider this issue, let us bear in mind the following concerns:

China's proliferation of weapons of mass destruction in the Middle East and elsewhere.

China's huge forced labor camps and political prisons, and China's brutal occupation of Tibet; China's coercive population controls, including forced abortion policies; China's lack of support for the United Nation's efforts regarding North Korea; the painful image of the brutal massacre of the young people in Tiananmen Square; China's billion dollars of military support for the junta that rules Burma; China's support of the Khmer Rouge; China's massive military build-up and adventurism in the oil rich South China Sea; China's aggressive espionage activities here in the United States; our Nation's $23 billion trade deficit with China, and Beijing's continuing religious persecution of Christians, Protestants, and Buddhists.

Each of these issues standing alone is reason enough for trade restrictions with Communist China. But all of them taken together show an incredible blindness of thought in the way that we deal with the brutal rulers of that country. It is a delusive policy formulation at its worst. Historians will ponder in bewilderment this lingering

error and wonder why it was allowed to go on for so long.

My good friend from New York has for so many years warned us that we were heading down the wrong path with the wrong people. I know that it has pained him to watch our Nation's leaders allow this shortsighted policy to continue. Today let us help set our Nation's course in the right direction. Accordingly, I urge my colleagues to support the Solomon resolution, H.J. Res. 373 and terminate MFN for the People's Republic of China.

In the event that the Solomon amendment H.J. Res. 373 is not accepted by the House, I urge my colleagues to support the Pelosi amendment, H.R. 4590, legislation that simply revokes MFN for products produced by the Peoples Liberation Army.

□ 1410

Mr. BONIOR. Mr. Speaker, I yield 2 minutes and 45 seconds to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. I thank the gentleman from Michigan for yielding me the time. I rise in strong support of the rule and both the Solomon and Pelosi amendments.

This debate is really about whether Americans need things so badly from China that we are willing to clip the wings of the Chinese people that are out there trying so hard to gain human rights and to really bring democracy to that country. I certainly hope that we have not lost our values so much that we absolutely refuse to yield on that.

We are going to have a lot of people stand down here and say this is an emotional debate and giving MFN to China does not mean we condone what they do on human rights. Maybe you think that, but if you do not think the Chinese Government will not interpret this to their people as saying we condone what they do in human rights, you have not got a grip on reality, because that is exactly what they are going to do. That is why the Olympics did not go there. That is why so many of their neighbors are not thrilled about what China is doing. Their neighbors are terrified to speak out because they feel they are shoved in a bathtub with an elephant.

China is very big and China is throwing her weight around, in moving to the Spratly Islands and being fairly silent on the whole issue of North Korea, and we have not seen any real progress on human rights since we last visited this issue. So why would we give them this benefit? Why, when we have been the leaders in talking about sanctions and embargoes and outer countries that are doing similar types of things, when we have been trying to get world leadership on those issues and saying these things work and then all of a sudden, it is like we are afraid of the elephant in the bathtub, also, and that makes absolutely no sense. I think you also have to know how these enterprises are set up.

As Members know, each military installation is allowed to engage in all kinds of commercial activity as long as they send a certain percentage of the profits back to Beijing. We are almost creating a warlord type of situation. And if you believe that those workers who are really soldiers who have really been drafted are negotiating for their labor or anything else, you are really out of touch with reality. They are doing this and they are going to export these at any cost, and to think that Americans can ever compete with that kind of system or that we will ever see the kind of fairness and safety standards we believe in imposed in that kind of system is totally unreal.

So I think it is time that we have to remain firm and say we are sorry China did not make any progress. We would much rather be down here celebrating the progress they have made and say, let us go forward with MFN, but they did not and we know it.

I urge a vote for Solomon and Pelosi.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. SMITH], an outstanding Member of this body who has spent so much of his time fighting for human rights for people.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, later today we will have the opportunity to vote to support millions of people who strive for ideals of freedom, democracy, and human rights in China.

When the President extended MFN status to China, he made a commitment that unless China significantly improved its human rights record, MFN would be revoked. In the year that ensued, there was no significant progress. If anything, there was significant regression. However, even with all the evidence in front of him, Mr. Clinton once again rewarded the Chinese Government with MFN and he turned his back on the victims.

Anyone interested in human rights for a fifth of the world's population has to ask themselves, "Why?" Why the flip-flop after the ironclad assurances that he would not back down?

Surely President Clinton knows that when it comes to religion, that only the Catholic Patriotic Association and the Three Self-Patriotic Movement, which are headed by the government through their chosen leaders, are allowed to function in China.

Surely Mr. Clinton knows that religious believers, both Protestant and Catholic, who refuse to participate in these government-controlled and sponsored churches are subjected to imprisonment, torture, and death. Even as the President was making his decision, three Catholic church leaders, three priests, were arrested and sentenced to education through labor. When I met with Bishop Su during a human rights trip in January, that bishop, simply for celebrating mass, was arrested and held for 9 days. Add that to the 15 years that he spent incarcerated for his faith.

Mr. Clinton surely knows that millions of Chinese are detained in forced labor camps where they work long hours each day to reach unrealistic production quotas.

The gentleman from Virginia [Mr. WOLF] and I visited one of those prison camps, Beijing Prison 1, some 3 years ago. We saw firsthand the kind of exploitation of people who were part of the pro-democracy movement.

Surely Mr. Clinton knows that every day thousands of Chinese citizens, particularly women, are exploited by the cruel one-child-per-couple policy, where women are forced to undergo abortions and sterilization to meet the rigid guidelines of that egregious policy. Surely Mr. Clinton knows and he has even said that these human rights abuses continue. They sure do, Mr. President.

We in this Congress have a job to do. We cannot say, well, the President has acted and we are just going to fall by the wayside. Despite the actions by the President, the courage of the Chinese people that they have demonstrated cannot be betrayed again by this Chamber. We must continue to let the Chinese political leaders know that we too are watching and we will let these people know that we care and care deeply.

Today support for passage of the Solomon resolution and for the Pelosi bill will send a clear, unmistakable message to the Chinese leadership, to that dictatorship, that we will not stand idly by while people are exploited. We will stand up for human rights and freedom. I urge Members to vote for the rule and for the two resolutions.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT], one of the very outspoken Members of this body and a very valuable Member.

Mr. TRAFICANT. Mr. Speaker, I have listened to all the debate, I have listened to it for years and quite frankly, Scarlett, I don't give a damn, and I am amazed. I am listening to all the debate about human rights today. This is not a debate about human rights. If Congress wants to do something about human rights in China, do it in some other bill. Today's debate is about commerce and trade. It is about business. It is about imports. It is about jobs and unemployment. It is about bankruptcy and it is about stupidity on behalf of the American Congress. Because there is one word that should be invoked into this debate today—Constitution. And the Constitution says Congress, not the White House; Congress, not the Supreme Court, shall

regulate—listen to the word, it is so frightful, Congress—regulate, regulate commerce with foreign nations.

So let us look at that charge. In China, their average wage is 10 cents an hour. In China, there are slaves that make products. In China, they deny our products. In China, they will support a North Korean dictatorship before they support our marines. And in China they will not only send over those products made by slave labor, they will put a fraudulent "made in America" label on it and laugh all the way to the bank. And the other body does not even want that law in the crime bill. If that fraudulent label law, the amendment I passed, is not in the crime bill, I want Democrat leaders to hear this. I don't give a damn if the crime bill solves cancer, I am going to vote no.

Ladies and gentleman, this is about a Congress of the United States that has become so idealistic it now has blinders on and has caused us to lose jobs and has allowed trading partners to rip us off and rip off our families, and we wonder what happened to family life.

□ 1420

My colleagues, there will be no families in America if we continue to allow every other nation to take our families' job. I want Members to think about that.

So today I think while some are debating most-favored-nation trading status for China, I would like to say they are also debating the most foolish nation trading status that Uncle Sam could possibly have.

Regulate. Make it fair. Make it level.

I want to commend the gentlewoman from California [Ms. PELOSI] for the great job she has done. I want to commend all of the Democrat leaders. But I only have one vote, and that "aye" is going to go for Mr. SOLOMON, period. If Members want to debate human rights, bring it in a human rights bill, do not cost us more jobs with it.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the argument is often made that the best way to get the present Chinese leadership to modify and reform its course is through trade. Open up the avenues of commerce, and all the other good things will naturally follow.

So the argument goes, but does it have any merit?

Let's look at the record since the Tiananmen Square massacre in 1989.

United States exports to China—which were already low to start with because China does not give most-favored-nation status to us—rose by 52 percent in the 4 years between 1989 and 1993.

During that same period, however, Chinese exports to the United States rose by 262 percent. And our trade deficit with China rose in just 4 years by a staggering 366 percent.

The trade deficit was $6.2 billion in 1989; it reached $22.8 billion in 1993, and this year, it is rising toward $30 billion. Within 3 years, the trade deficit we have with China will exceed the one we have with Japan.

So, Mr. Speaker, the question then occurs: What kind of change has all of this trade wrought in china? What is different today, compared to 5 years ago, or 10 years ago?

Well, here is what has changed: The repression in China has gotten worse and the Chinese military has gotten bigger. In the last 5 years, China is the only major country in the world that has increased the size and forceprojection capabilities of its military, and they have increased it by plenty. Military spending is up by at least 50 percent.

So the burden of proof in this whole argument continues to fall on those who believe that trade is working. The burden of proof continues to fall on those who say yes to that question which was first posed so many centuries ago: "Can a leopard change its spots?"

Believe me, the Chinese communists are not changing.

Mr. Speaker, I include for the RECORD statistics on open versus restrictive rules and rollcall votes in the Rules Committee on the amendment to this rule on MFN for China, as follows:

ROLLCALL VOTES IN THE RULES COMMITTEE ON AMENDMENT TO PROPOSED RULE ON CHINA MOST-FAVORED-NATION STATUS

1. To provide for the adoption of the substitute receiving the most favorable votes rather than the last amendment adopted. (Vote: Defeated 4 to 7). Yeas: Solomon, Quillen, Dreier, Goss. Nays: Moakley, Derrick, Beilenson, Frost, Bonior, Hall, Slaughter. Not Voting: Wheat, Gordon.

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted [1]	Open rules		Restrictive rules	
		Number	Percent [2]	Number	Percent [3]
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	86	24	28	62	72

[1] Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

[2] Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

[3] Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Aug. 8, 1994.

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–0; R–3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (d–4; R–9)	8 (D–3; R–5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D–8; R–29)	1(not submitted) (D–1; R–0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (1-D not submitted) (D–2; R–2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0 (May 24, 1993).
H. Res. 173 May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote (May 20, 1993)
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178. A: 236–194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177. A: 226–185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176.. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D–20; R–33)	27 (D–12; R–15)	A: 294–129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D–11; R–22)	5 (D–1; R–4)	A: 263–160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401–0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261–164. (July 21, 1993).
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D–8; R–6)	2 (D–2; R–0)	PQ: 245–178. F: 205–216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D–8; R–7)	2 (D–2; R–0)	A: 224–205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D–109; R–40)		A: 246–172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization			PQ: 237–169. A: 234–169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D–3; R–9)	1 (D–1; R–0)	A: 213–191–1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization		91 (D–67; R–24)	A: 241–182. (Sept. 28, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238–188 (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D–0; R–7)	3 (D–0; R–3)	PQ: 240–185. A: 225–195. (Oct. 14, 1993).
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	A: 239–150. (Oct. 15, 1993).

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.—Continued

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 273, Oct. 12, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	PQ: 235–187 F: 149–254. (Oct. 14, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D–7; R–7; I–1)	10 (D–7; R–3)	A: Voice Vote. (Oct. 13, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	N/A	N/A	A: Voice Vote. (Oct. 21, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumbee Recognition Act	N/A	N/A	A: Voice Vote. (Oct. 28, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D–0; R–0)	0	A: 252–170. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	N/A	N/A	A: Voice Vote. (Nov. 3, 1993).
H. Res. 293, Nov. 4, 1993	MC	H. Con. Res. 170: Troop withdrawal Somalia	N/A	N/A	A: 390–8. (Nov. 8, 1993).
H. Res. 299, Nov. 8, 1993	MO	H.R. 1036: Employee Retirement Act–1993	2 (D–1; R–1)	N/A	A: Voice Vote. (Nov. 9, 1993).
H. Res. 302, Nov. 9, 1993	MC	H.R. 1025: Brady handgun bill	17 (D–6; R–11)	4 (D–1; R–3)	A: 238–182. (Nov. 10, 1993).
H. Res. 303, Nov. 9, 1993	O	H.R. 322: Mineral exploration	N/A	N/A	A: Voice Vote. (Nov. 16, 1993).
H. Res. 304, Nov. 9, 1993	C	H.J. Res. 288: Further CR, FY 1994	N/A	N/A	
H. Res. 312, Nov. 17, 1993	MC	H.R. 3425: EPA Cabinet Status	27 (D–8; R–19)	9 (D–1; R–8)	F: 191–227. (Feb. 2, 1994).
H. Res. 313, Nov. 17, 1993	MC	H.R. 796: Freedom Access to Clinics	15 (D–9; R–6)	4 (D–1; R–3)	A: 233–192. (Nov. 18, 1993).
H. Res. 314, Nov. 17, 1993	MC	H.R. 3351: Alt Methods Young Offenders	21 (D–7; R–14)	6 (D–3; R–3)	A: 238–179. (Nov. 19, 1993).
H. Res. 316, Nov. 19, 1993	C	H.R. 51: D.C. statehood bill	1 (D–1; R–0)	N/A	A: 252–172. (Nov. 20, 1993).
H. Res. 319, Nov. 20, 1993	MC	H.R. 3: Campaign Finance Reform	35 (D–6; R–29)	1 (D–0; R–1)	A: 220–207. (Nov. 21, 1993).
H. Res. 320, Nov. 20, 1993	MC	H.R. 3400: Reinventing Government	34 (D–15; R–19)	3 (D–3; R–0)	A: 247–183. (Nov. 22, 1993).
H. Res. 336, Feb. 2, 1994	MC	H.R. 3759: Emergency Supplemental Appropriations	14 (D–8; R–5; I–1)	5 (D–3; R–2)	PQ: 244–168. A: 342–65. (Feb. 3, 1994).
H. Res. 352, Feb. 8, 1994	MC	H.R. 811: Independent Counsel Act	27 (D–8; R–19)	10 (D–4; R–6)	PQ: 249–174. A: 242–174. (Feb. 9, 1994).
H. Res. 357, Feb. 9, 1994	MC	H.R. 3345: Federal Workforce Restructuring	3 (D–2; R–1)	2 (D–2; R–0)	A: VV (Feb. 10, 1994).
H. Res. 366, Feb. 23, 1994	MO	H.R. 6: Improving America's Schools	NA	NA	A: VV (Feb. 24, 1994).
H. Res. 384, Mar. 9, 1994	MC	H. Con. Res. 218: Budget Resolution FY 1995–99	14 (D–5; R–9)	5 (D–3; R–2)	A: 245–171 (Mar. 10, 1994).
H. Res. 401, Apr. 12, 1994	MO	H.R. 4092: Violent Crime Control	180 (D–98; R–82)	68 (D–47; R–21)	A: 244–176 (Apr. 13, 1994).
H. Res. 410, Apr. 21, 1994	MO	H.R. 3221: Iraqi Claims Act	N/A	N/A	A: Voice Vote (Apr. 28, 1994).
H. Res. 414, Apr. 28, 1994	O	H.R. 3254: NSF Auth. Act	N/A	N/A	A: Voice Vote (May 3, 1994).
H. Res. 416, May 4, 1994	C	H.R. 4296: Assault Weapons Ban Act	7 (D–5; R–2)	0 (D–0; R–0)	A: 220–209 (May 5, 1994).
H. Res. 420, May 5, 1994	O	H.R. 2442: EDA Reauthorization	N/A	N/A	A: Voice Vote (May 10, 1994).
H. Res. 422, May 11, 1994	MO	H.R. 518: California Desert Protection	N/A	N/A	PQ: 245–172 A: 248–165 (May 17, 1994).
H. Res. 423, May 11, 1994	O	H.R. 2473: Montana Wilderness Act	N/A	N/A	A: Voice Vote (May 12, 1994).
H. Res. 428, May 17, 1994	MO	H.R. 2108: Black Lung Benefits Act	4 (D–1; R–3)	N/A	A: VV (May 19, 1994).
H. Res. 429, May 17, 1994	MO	H.R. 4301: Defense Auth., FY 1995	173 (D–115; R–58)		A: 369–49 (May 18, 1994).
H. Res. 431, May 20, 1994	MO	H.R. 4301: Defense Auth., FY 1995		100 (D–80; R–20)	A: Voice Vote (May 23, 1994).
H. Res. 440, May 24, 1994	MC	H.R. 4385: Natl Hiway System Designation	16 (D–10; R–6)	5 (D–5; R–0)	A: Voice Vote (May 25, 1994).
H. Res. 443, May 25, 1994	MC	H.R. 4426: For. Ops. Approps, FY 1995	39 (D–11; R–28)	8 (D–3; R–5)	PQ: 233–191 A: 244–181 (May 25, 1994).
H. Res. 444, May 25, 1994	MC	H.R. 4454: Leg Branch Approp, FY 1995	43 (D–10; R–33)	12 (D–8; R–4)	A: 249–177 (May 26, 1994).
H. Res. 447, June 8, 1994	O	H.R. 4539: Treasury/Postal Approps 1995	N/A	N/A	A: 236–177 (June 9, 1994).
H. Res. 467, June 28, 1994	MC	H.R. 4600: Expedited Rescissions Act	N/A	N/A	PQ: 240–185 A:Voice Vote (July 14, 1994).
H. Res. 468, June 28, 1994	MO	H.R. 4299: Intelligence Auth., FY 1995	N/A	N/A	A: Voice Vote (July 19, 1994).
H. Res. 474, July 12, 1994	MO	H.R. 3937: Export Admin. Act of 1994	N/A	N/A	A: Voice Vote (July 14, 1994).
H. Res. 475, July 12, 1994	O	H.R. 1188: Anti. Redlining in Ins	N/A	N/A	A: Voice Vote (July 20, 1994).
H. Res. 482, July 20, 1994	O	H.R. 3838: Housing & Comm. Dev. Act	N/A	N/A	A: Voice Vote (July 21, 1994).
H. Res. 483, July 20, 1994	O	H.R. 3870: Environ. Tech. Act of 1994	N/A	N/A	A: Voice Vote (July 26, 1994).
H. Res. 484, July 20, 1994	MC	H.R. 4604: Budget Control Act of 1994	3 (D–2; R–1)	3 (D–2; R–1)	PQ: 245–180 A: Voice Vote (July 21, 1994).
H. Res. 491, July 27, 1994	O	H.R. 2448: Radon Disclosure Act	N/A	N/A	A: Voice Vote (July 28, 1994).
H. Res. 492, July 27, 1994	O	S. 208: NPS Concession Policy	N/A	N/A	A: Voice Vote (July 28, 1994).
H. Res. 494, July 28, 1994	MC	H.R. 4801: SBA Reauth & Amdmts. Act	10 (D–5; R–5)	6 (D–4; R–2)	PQ: 215–169 A: 221–161 (July 29, 1994).
H. Res. 500, Aug. 1, 1994	MO	H.R. 4003: Maritime Admin. Reauth.	N/A	N/A	A: 336–77 (Aug. 2, 1994).
H. Res. 501, Aug. 1, 1994	O	S. 1357: Little Traverse Bay Bands	N/A	N/A	A: Voice Vote (Aug. 3, 1994).
H. Res. 502, Aug. 1, 1994	O	H.R. 1066: Pokagon Band of Potawatomi	N/A	N/A	A: Voice Vote (Aug. 3, 1994).
H. Res. 507, Aug. 4, 1994	O	H.R. 4217: Federal Crop Insurance	N/A	N/A	A: Voice Vote (Aug. 5, 1994).
H. Res. 509, Aug. 5, 1994	MC	H.J. Res. 373/H.R. 4590: MFN China Policy	N/A	N/A	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

Mr. Speaker, I yield back the balance of our time.

Mr. BONIOR. Mr. Speaker, I yield the balance of our time to the gentlewoman from California [Ms. PELOSI], who has led this effort, and who has been so courageous and valiant and articulate on this issue for so many years.

Ms. PELOSI. Mr. Speaker, I thank our majority whip for yielding the time and thank him for his wonderful statement earlier. It is a great honor to be associated with him in this effort as well as the gentleman from New York [Mr. SOLOMON] and all of our other colleagues who have spoken on this issue.

I just want to say how we got here today. In the course of the past 5 years especially, this Congress has expressed its concern about three issues in our relationship with China: trade, as the gentleman from Ohio [Mr. TRAFICANT] just mentioned so eloquently, human rights, and the proliferation of weapons by the Chinese military to unsafeguarded countries.

The bill that we have before us today under the rule, the Pelosi bill, H.R. 4590, has those three concerns converge with the Chinese military. We do address trade, proliferation and human rights. I say to the gentleman from Ohio [Mr. TRAFICANT], by focusing our target on revoking MFN for the Chinese military.

Very briefly, because I do not have much time, I just want to respond to those who have said that it is impossible for us to target products made by the Chinese military. I call to the attention of my colleagues this chart which I have brought up here on a regular basis about companies under the defense industrial companies of China as well as the catalogues for products made in China, which I will make available at the desk. These are catalogues of companies and products, and I think Members will be amazed to see everything from air mattresses, to food, to tennis shoes, to clothing, household appliances to computer technology that the Chinese military is exporting to the United States. We are targeting them because they are the oppressors in China and Tibet, because they are proliferators into the Middle East and Pakistan, and selling weapons to the Khmer Rouge. We target them because they dominate much of the prison labor that is used for making products for export to the United States.

And on the issue of human rights, because I think it is inextricably tied to the issue of American jobs, I respectfully disagree with the President when he delinked trade and human rights. Trade is about jobs. The American worker's destiny and his wages and his job is tied directly to the promotion of human rights abroad.

Right now an Asian activist has said, "The pressure on developing countries to keep wages low or risk losing highly mobile businesses has created what activists call a race to the bottom.

"Companies and countries compete for the worst laws and the weaker the laws are, the better they like it."

American companies separate themselves from the manufacturing process and from the responsibility for the employing and the subcontracting that goes on. So it is impossible to separate these. The American worker's job is dependent on the worker's rights in another country. As our majority whip has said many times, countries which repress their people repress their people's wages.

Support the American worker by supporting human rights abroad. Vote "yes" on H.R. 4590.

I rise in support of the rule.

Mr. BONIOR. Mr. Speaker, I yield back the balance of my time and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 373, the joint resolution made in order under House Resolution 509.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Is there objection to the request of the gentleman from Florida?

There was no objection.

DISAPPROVING MOST-FAVORED-NATION TREATMENT FOR CHINA

Mr. GIBBONS. Mr. Speaker, pursuant to House Resolution 509, I call up the joint resolution (H.J. Res. 373) disapproving the extension of nondiscriminatory treatment—most-favored-nation—treatment to the products of the People's Republic of China, and for other purposes.

The text of House Joint Resolution 373 is as follows:

H.J. RES. 373

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on June 2, 1994, with respect to the People's Republic of China.

The SPEAKER pro tempore. Pursuant to House Resolution 509, the gentleman from New York [Mr. SOLOMON] will be recognized for 40 minutes, and the gentleman from Florida [Mr. GIBBONS] will be recognized for 40 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent to yield 20 minutes of our time, for purposes of control, to the gentleman from Texas [Mr. ARCHER]. Pending his arrival, Mr. Speaker, the gentleman from Arizona [Mr. KOLBE] will control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, here we go again. Last year it was claimed that conditioning MFN would provide the proper inducement for the Chinese Government to clean up its act. But as was so utterly predictable even last year, this policy has failed once again. The Chinese Government has not cleaned up its act. The regime in Beijing is still repugnant and should be unacceptable to all of us as Americans.

Mr. Speaker, this year more than ever—more than ever because of the President's failed policy of conditioning MFN, as it was the same with his predecessors, Republican Presidents—it is incumbent upon this Congress to take action, real action against the Chinese dictatorship. We must revoke MFN for China, and we must do it today.

First and foremost, repression in China has gotten worse, worse since last year. According to the highly respected Asia Watch, 1993 was one of the worst years in recent memory for human rights in China. Think about that. There are more political prisoners languishing in jails and in the internment camps than there were a year ago. The year 1994 continues that pattern.

Draconian new antireligious laws were introduced in February, and just a few weeks ago China issued new regulations which allow unprecedented powers of search and arrest for people who are involved in—and just listen to these things—"Fabricating rumors, distorting facts, publishing or spreading written or oral arguments or spreading audio or video products that endanger state security."

Mr. Speaker, these Orwellian new laws are not only outrageous, they provide a direct refutation to those who on this floor a year ago stood here and said that more trade and more business would improve human rights in China.

Mr. Speaker, the Chinese leadership itself has repeatedly taken issue with this argument and continues to insist that economic reform will be coupled with, of all things, increased political control.

□ 1430

Mr. Speaker, it is time to bury the failed argument that trading with the government-dominated firms of China will improve human rights.

Next, Mr. Speaker, we have to acknowledge that trading with China is a net jobs loser for America. Our colleagues, the gentlewoman from California [Ms. PELOSI] and the gentlewoman from Ohio [Ms. KAPTUR], have done outstanding work in trying to dramatize this issue and bring it to this floor.

Listen to this: Less than 2 percent of our total exports go to China, yet 40 percent of China's exports come to the United States. What is fair about that? The result of this one-way trade is, of course, our massive and ever-growing trade deficit with China, which last year reached a record $23 billion. According to the charts offered by the gentlewoman from Ohio [Ms. KAPTUR], the deficit will hit $30 billion in 1994.

How many American jobs does this trade imbalance destroy, Mr. Speaker? And how much military weaponry does it buy for the rogue dictatorship in China?

I will tell you how much. Twenty-two percent more than last year. That is right. China has recently announced a 22-percent increase in military spending for 1994 on top of a 15-percent increase last year, with all of that paid for from revenue received from their huge trade surplus with us, the American people.

Mr. Speaker, my colleagues, think about this: The type of weaponry they are buying, listen to this, includes advanced fighter-bombers from Russia, air-to-air refueling technology, solid-fuel rocket boosters. All of these things clearly suggest a drive by China to project power beyond its borders and to improve its nuclear first-strike capability.

Are we going to go through past history all over again with yet another cold war? By granting MFN, we are granting China a built-in trade surplus with which China is embarking on a massive and dangerous military buildup which could someday threaten the lives of United States soldiers.

I am not going to let that happen, and not one Member of this body should.

Finally, I would just like to talk about China's foreign policy, because we are all worried about Korea. I am sure we are going to hear the argument today that we need China to help contain North Korea. Well, ladies and gentlemen, the Chinese Government has said repeatedly that it does not want a nuclear North Korea; and if China does not want a nuclear North Korea, that means that China will do what it has to do to stop the North Korean nuclear drive, no matter what we do with MFN. So the Korea argument is totally irrelevant.

On the other hand, extending MFN to China has not really brought us much Chinese support on North Korea either. Think about that. Show me one thing China has helped us with.

Just 2 weeks after the President extended MFN, China opposed our drive to place new sanctions on North Korea. And when President Clinton himself tried to call Beijing to lobby them on sanctions, they would not even take the American President's phone call. What is going on over there?

Now China has pledged 85,000 troops in support of North Korea should Pyongyang attack our ally in the south, where we have 37,000 American troops. Are we going to jeopardize those 37,000? If war broke out tomorrow, we would lose 10,000 American soldiers in 1 week.

Of course, I barely need to mention China's totally irresponsible nuclear proliferation policies, having provided nuclear arms and/or missile technology to Iran, Pakistan, and Algeria, and you could go on with a myriad of other countries.

All of this has taken place in the context of 14 straight years of MFN treatment. No, Mr. Speaker, appeasing China does not earn us their respect and their cooperation. It earns us their contempt.

The only thing this regime understands is power, and that is why we should utilize our power, the power of the American purse. That power is awesome, 260 million Americans with the highest standard of living in the world. That power is awesome if we would use it. The U.S. dollar is the international currency. English is the international language of business. That is why everybody, including the Chinese, want to do business with us. They need us.

But, ladies and gentlemen, we do not need them. It is time for us to apply our long-held ideals regarding human rights as well as some clear-headed strategic thinking around here, to our relationship with this Communist dictatorship whose deadly atheistic philosophy has no respect for human rights, indeed, no respect even for human life itself.

Mr. Speaker, now is the time to revoke China's most-favored-nation trade status. We can put it back into effect 6 months from now. If we took it away for a while, they would listen.

If Members vote yes on my resolution, we will send the message that America does care about the rights of people who are not being treated like decent human beings.

Mr. Speaker, I reserve the balance of my time.

Mr. GIBBONS. Mr. Speaker, I yield 20 minutes of my time to the gentlewoman from Ohio [Ms. KAPTUR], and I ask unanimous consent that the gentlewoman from Ohio may control that time.

The SPEAKER pro tempore (Mr. SKAGGS). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, after I make a few opening remarks, I will yield all of my remaining time to the gentleman from California [Mr. MATSUI], the acting chairman of the Subcommittee on Trade of the Committee on Ways and Means, and I ask unanimous consent that the gentleman from California may control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the matter we are debating here is the Solomon resolution, which would revoke China's normal, or nondiscriminatory, trade status, which the U.S. Government extends to all nations except a few completely rogue societies.

House Joint Resolution 373 was referred to the Committee on Ways and Means, and after due and deliberate consideration, the Committee voted down the resolution offered by the gentleman from New York [Mr. SOLOMON], 31 to 6.

I would like to turn to a discussion of China and the need for the comprehensive China policy that the President announced on May 26 of this year. China is a 6,000-year-old society. It was brought into being and has existed all of those 6,000 years under standards of behavior that are quite different from the standards of behavior that underpin our heritage.

China is not a perfect place to live as far as human rights are concerned. This country has, by our standards, serious human rights problems. But I believe that the only way to bring China into modern society is to stay engaged and to continue pressing Beijing to recognize internationally recognized human rights practices. This is the approach the rest of the world takes.

I first traveled to China about 20 years ago. At that time, China was in the end stages of the Cultural Revolution, in which apparently 2 million Chinese were executed by the Chinese Government. Families, societies, communities, and institutions were ripped asunder. The situation is vastly different today.

There are some 50,000 Chinese students going to school here in the United States. That, in and of itself, is a major step forward in our bilateral relationship. I think most of those 50,000 students will go back to China imbued with Western notions of freedom, civilization, and human rights.

China, as noted by my friend, the gentleman from New York [Mr. SOLOMON], has a tremendous commercial interest now improving its relationships with the West.

I do not want to see the United States or the rest of the Western World retreat back into an era of isolation, with China reminiscent of the late 1940's and early 1950's.

For that reason I urge my colleagues to vote "no" on the resolution offered by the gentleman from New York [Mr. SOLOMON].

Mr. Speaker, I reserve the balance of my time.

□ 1440

The SPEAKER pro tempore (Mr. SKAGGS). Under the unanimous consent agreements that have been reached, we will alternate now between the gentleman from New York, the gentleman from California, the gentleman from Texas, and the gentleman from Ohio.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, once again we debate the difficult issue of how best to structure our trade relationship with China, so it fosters the human rights goals that we all share. The House will consider three separate propositions this afternoon. I strongly oppose the first resolution, House Joint Resolution 373, which would terminate China's MFN trade status altogether.

I will also vote against the Pelosi-Gephardt bill, H.R. 4590, which would attempt to apply sanctions to half of all Chinese exports to the United States. I intend to support the Hamilton bill, H.R. 4891, which codifies a policy of aggressively pursuing human rights objectives through political and economic engagement with the Chinese rather than through linkage to the question of MFN.

China is in the midst of turbulent political and economic change. The process of reform and liberalization is not smooth, but it is proceeding.

Mr. Speaker, the United States can cut off trade relations with China, as House Joint Resolution 373 would have us do. Like a gun with a single bullet, revoking MFN is a threat that can be carried out only once. If House Joint Resolution 373 were enacted into law, relations with the Government of China would deteriorate to the point that virtually all United States influence would be lost. United States businesses would withdraw and I would anticipate United States exports to China would be hit with mirror trade sanctions.

There are over 180,000 U.S. jobs that are directly dependent on exports to China, and plenty of these paychecks would be sacrificed. We would watch our foreign competitors move into the economic void created by this legislation.

The alternative, which I support, is to continue to be part of the change in China so that we can help shape it. To disarm ourselves, to withdraw from normal trade relations, abrogates our responsibility to the Chinese people, and to the wide range of interests, both economic and strategic, that the United States has in this important region of the world.

To achieve human rights objectives, I believe we should reject the Solomon Resolution, and adopt the Hamilton substitute which will be offered later today.

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume.

I rise, obviously, in support of the Solomon amendment. I just wish to comment on one of the previous speakers who indicated that the choice today was isolation, if the United States were to opt for the Solomon resolution, isolation versus engagement.

Mr. Speaker, for the record let me say the real choice is neither isolation nor engagement, but rather the terms of the engagement, and the conditions under which the United States permits goods from undemocratic nations, low-wage nations, to come into this market, destroying jobs here in the footwear and apparel industries. In all of our toy industries; Tonka trucks being manufactured in China today. The profits are going to multinationals, Chinese workers are getting very low wages, and no Americans are being employed in those professions.

The same is true with footwear, an industry that has completely

outsourced to places like China, where workers in those countries make 10 cents an hour. Companies like Nike Shoes make hundreds of dollars on sales of every pair of shoes in this country. Our people do not have work in Maine and New Hampshire, Massachusetts and other places. That is what this debate is really about today, the terms of engagement.

Most favored nation means most favorable tariff treatment. In other words, lowering all of the equalizers we have had in place for many, many years to try to offset those very low wages and undemocratic conditions that exist in the far reaches of the world, to try to do something to help raise those standards of living as a condition of getting into this marketplace and helping our own workers survive in a world where the majority of people are low-wage workers in undemocratic nations.

So this debate today is about the terms of engagement.

I want to compliment the gentleman from New York [Mr. SOLOMON] for his true leadership on this, not just from an economic standpoint but from a military standpoint as well.

Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. STARK].

Mr. STARK. Mr. Speaker, I rise in support of House Resolution 373, the motion to disapprove most-favored-nation status for China. Last year our administration tried to offer China a reasonable way out of the annual confrontation on China's trade privileges by signing an Executive order laying out conditions that China had to meet.

Several conditions were absolute and others required a good-faith effort.

China has not met the absolute requirement regarding prison labor products, and it has intensified repression in Peking, Shanghai, and Tibet and failed to make substantial progress in other areas. It has flaunted its disregard for human rights concerns.

But most troubling, whether or not we are going to engage China in a game of Chinese checkers or add China to the rogue nations of Vietnam, Iraq, and Libya, China is a major nuclear power and it continues to maintain close ties with Pakistan; it is the principal supplier of Iran's nuclear technology, training Iranian specialists to help them build nuclear weapons; it resists joining international nuclear export control organizations, like the Nuclear Suppliers Group. It has sold nuclear-capable missiles to Pakistan and short-range missiles to Iran.

It is the only one of the nuclear weapons states that is not observing the moratorium on nuclear testing; two nuclear tests over the last year as part of a program to upgrade its nuclear arsenal.

I do not care how many Burger Kings and Kentucky Fried Chicken stands our great industry wants to ship off to China; it will be of little concern if they start a nuclear conflagration in the Midwest. And they are not helping us impose sanctions on North Korea. And I think if for no other reason than to bring them into line, we should support House Resolution 373.

Ms. KAPTUR. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. I thank the gentlewoman for yielding this time to me.

Mr. Speaker, last year Mr. SOLOMON and I stood before the House and urged that this House reject most-favored-nation status for China. We were told that we were going down the wrong track, that if we granted China this status, we would see improvement in their trading practices, we would see improvement in their human rights record, we would see improvement in their nonproliferation record. We have waited that 1 year.

Human Rights Watch tells us that personal freedom has been even further limited in that country over the past year. The trading deficit with that country has increased from $24 billion to $30 billion a year, second now only to Japan.

And just in the last 2 months, since President Clinton indicated that he was going to grant most-favored-nation status to this country, Beijing exploded a nuclear bomb at its Lop Nor testing facility, the second one this year; the only country in the world that is in violation of the global moratorium on nuclear testing.

This on top of everything else we know about the Chinese regime, its long pattern of supplying nuclear weapons material to Pakistan, selling $4 billion worth of arms to Iran, $2.2 billion worth to Iraq, $100 million worth to Libya, as we appropriate tens and tens of billions of dollars to the Persian Gulf, to the Far East, to the Middle East, in order to isolate these global problem areas, tens of billions of dollars.

□ 1450

The Chinese fuel these global situations with an ever-escalating number of weapons. It is time for us to realize that, until we cut off most-favored-nation status for this country, China will not respond to us. Until we stand up for principle, we will continue to see a subordination of the overarching nonproliferation objective which this country maintains as its highest foreign policy objective.

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes to the very distinguished gentleman from Virginia [Mr. WOLF], who once again has led the fight for human rights in this universe of ours.

Mr. WOLF. Mr. Speaker, let me just begin by thanking the gentlewoman from California [Ms. PELOSI] and the gentleman from New York [Mr. SOLOMON] for taking the leadership on this issue.

If I can say a word to the Members on my side, it would be, don't let the party of Lincoln, and let me say it again, don't let the party of Lincoln adopt a policy of Clinton when it comes to this issue.

I do not understand what has happened on my side of the aisle. We were the party in the 1980's that used to weep and want to work with Lech Walesa when we heard the Communist domination that took place there, and we know that, when we put sanctions on in a bipartisan way, we were successful.

I ask my colleagues, will you tell Lech Walesa today, if he walked in the Chamber, that sanctions don't work? Of course my colleagues would not tell him that. They would be embarrassed.

I saw Members on my side applauding when Vaclav Havel came into the Congress and said how important it was that we stood with them. I ask my colleagues, will you tell Vaclav Havel today, if he walked in here, that you think sanctions don't work?

I remember when we fought the leadership of the Committee on Ways and Means, and we beat them finally on Romania. They said sanctions would not work in Romania, and we knew that it did work, and, as a result of that, Father Calciu got out, and so many Romanian Jews went to Israel. In fact, so many Romanian Jews are in the Israeli government now providing great leadership. I ask my colleagues, will you tell them that it didn't work? My colleagues would be embarrassed to tell them. They would be ashamed to tell them.

What about the Soviet Jews? I remember when we used to come down here in a bipartisan way, my side, excited about it, standing with Natan Shcharansky, standing with in those days Sakharov and Yelena Bonner. We stood with them. I ask my colleagues, would you tell the hundreds of thousands of Soviet Jews that now live in freedom in Israel and the United States that sanctions don't work? My colleagues would be laughed out of Jerusalem. They would think it is foolish because they would say that it has worked and, because of that, their families now live in freedom.

To close, Mr. Speaker, I ask my colleagues, would you tell Nelson Mandela that sanctions didn't work? I changed my vote on that. I was wrong the first time I voted. I voted against sanctions, and then I thought about it, and I made a mistake. I ask my colleagues, would you tell Nelson Mandela today that sanctions did not work? Of course my colleagues would not say that. They know they work.

And my party, this party of Lincoln, the party of human rights, the party of freedom, where are we on this issue? We should be with them on the Pelosi

issue, and we should be with them on Solomon.

In closing today, Mr. Speaker, I looked at the Bible, and in Ecclesiastes 4:1 let me read what it says:

Then I looked again at all the acts of oppression which were being done under the sun. And behold I saw the tears of the oppressed and that they had no one to comfort them; and on the side of the oppressors was power, but they had no one to comfort them.

Mr. Speaker, I would ask my side, and they have done a good job on their side, but I would ask my side:

This is an opportunity to stand with what Ronald Reagan said of the Evil Empire when we stood with Lech Walesa, when we stood with Vaclav Havel, when we stood with Nelson Mandela, when we stood with Father Calciu, and the Romanian Jews and the Soviet Jews; here is an opportunity to stand with the oppressed people that even that side would acknowledge terrible things are going on, but the question is will we stand with them, will there be a voice for the oppressor. I strongly plead for those Members on my side of the aisle; they will take care of theirs. Here is an opportunity to do what I believe and my colleagues know in their hearts that they believe is the right thing. Vote for the Solomon bill and vote for the Pelosi bill so tomorrow morning, when they listen to Voice of America in China, they will hear the people's House stood with the people of China.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. HAMILTON], the chairman of the Committee on Foreign Affairs.

Mr. HAMILTON. Mr. Speaker, the House today faces a fundamental question of United States foreign policy: How can we best protect all of our interests in China when that country is in the throes of a significant political and economic transition?

I urge my colleagues today to adopt a policy that: best serves United States interests; takes into account the complex nature of China today; and helps bring China fully into the community of nations.

SITUATION IN CHINA TODAY

All of us agree that China's human rights record is not good. Basic freedoms are restricted—freedom of expression, freedom of assembly, freedom of the press. Anyone who courageously tries to exercise those freedoms in opposition to the regime is punished. Those are the negatives.

On the other hand, liberalization has occurred in China over the last decade, largely on the economic front. The Chinese have greater freedom of employment, freedom of movement, and freedom of information than at any time since the Communists came to power. Those are the positive elements.

So China today is a mix of good and bad.

China is also a country in transition. Who will succeed Deng Xiaoping? That's the key question facing China. The coming leadership struggle will determine human rights conditions in China. The question for the United States is, how can we best help China decide to uphold international norms and join the global community?

U.S. INTERESTS

The United States has many interests in China. We are concerned about human rights. But we also have security interests. We cannot solve the North Korean nuclear problem peacefully without the cooperation of China. Our ability to operate successfully in the United Nations depends on our relations with China.

We also have economic interests in China. China is the world's fastest growing economy. United States companies last year exported $8.6 billion worth of goods to China last year, and billions more are at stake in the future as China rebuilds its infrastructure.

CONFRONTATION OR ENGAGEMENT?

The question the House faces today is, How do we advance all United States interests in China?

The choice we face could not be starker.

If we adopt the Solomon resolution, and withdraw most-favored-nation status for China, we will choose a policy of confrontation.

If we adopt the bill offered by Congresswoman PELOSI, and increase tariffs for goods produced by the military or State-owned enterprise, we will choose a policy of confrontation.

If we adopt the administration's policy, which is contained in the Hamilton substitute, we will choose a policy of engagement.

Those are the choices, and they cannot be reconciled. We cannot engage China while continuing to link trade and human rights.

A policy of confrontation will not persuade the Chinese to ease up on human rights. It will not persuade the Chinese to cooperate more fully in stopping on North Korea's nuclear program. It will not serve our economic interests. It will not help U.S. companies and U.S. workers. It will not give us leverage as China makes the transition into the global community.

I urge my colleagues instead to choose a policy of engagement. We want to draw China into a web of cooperation. Engaging China serves our economic interests, our political interests, and our strategic interests. It will advance the cause of human rights in China. And it will make us a key player in the transition now taking place in China.

I urge the defeat of the Solomon resolution.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to House Joint Resolution 373, which would disapprove the President's extension of most-favored-nation trade status to China.

The intense debate which has taken place in recent years on renewing China's MFN status stems from a deep concern over the Chinese Government's human rights violations. While I agree wholeheartedly that the United States should encourage the Chinese Government to improve its human rights record, I disagree with the supporters of House Joint Resolution 373 on how our country can best work to achieve this goal.

There is little question that revoking MFN would send a message of condemnation to Beijing. However, by cutting off our trading relationship, the United States would relinquish its means to leverage the Chinese Government to improve its human rights record.

Moreover, denying China access to the United States market—the largest in the world—jeopardizes the Chinese Government's promotion of free enterprise, a policy that Deng Xiaoping has called "Leninist-capitalism." Clearly, the liberalization of China's marketplace has profoundly improved the living conditions of millions of Chinese people and this economic freedom is a basic human right that United States has fought to protect around the world.

It is also important that we do not forget what cutting off China's MFN status would mean to Hong Kong. Because 68 percent of Chinese exports to the United States are shipped through Hong Kong, such harsh action would have a devastating impact on its economy. Any threat to Hong Kong's prosperity is in effect a threat to the rights and freedoms which the Chinese people in that colony currently enjoy. Moreover, the continued success of Hong Kong will also ensure that it will serve as a powerful force and example in bringing about positive change in the rest of China when control of Hong Kong is transferred from Great Britain to China in 1997.

Furthermore, MFN removal would hurt U.S. consumers, particularly those in low-income households, by raising prices on Chinese imports. At present, China is a major supplier of low-cost shoes, apparel, toys, and electronics in the U.S. market. However, if MFN is disapproval, these inexpensive goods would be driven from the U.S. market and replaced by higher-priced versions from other sources.

Revoking MFN would also be a disaster to the U.S. business community and would place as many as 200,000 direct American jobs at risk by giving the Chinese a motive to obtain products from other sources in the competitive global market, notably from European and Japanese suppliers.

For all of these reasons, I urge my colleagues to support the renewal of China's MFN trade status by voting "no" on House Joint Resolution 373.

□ 1500

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume to respond to the previous speaker.

Mr. Speaker, I would say that I have not noticed any of these goods coming in from China are any cheaper. Even though it only costs $8 to manufacture and ship a pair of Nike shoes from China to the United States, Charles Barkley's shoes here cost $139.95 before tax. I haven't noticed women's blouses on the racks at our stores are any cheaper because they are made in China. In fact, I saw one last Christmas that was $99, and I knew the woman who made that in China did not make a living wage in that country.

So I know somebody is making a killing on all of this, and I am glad the gentleman mentioned all those middle people in Hong Kong, because those are exactly the people paying for the lobbyists in these Halls to pass most-favored-nation for China to give advantage to those large corporations benefiting off the sweat of those people in China and the naivete of this Congress.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Speaker, I have had it. I have absolutely had it. And I have to say that I am fed up as well.

How many times are we going to come and listen to the many promises and goals that the Chinese have made, and how many times are we going to hear that each of those promises has been broken one by one by one?

I was taught a long time ago that we should be rewarding our friends, not our enemies. My friend, the gentleman from Indiana [Mr. HAMILTON], who just spoke, called the human rights situation in China not good. I would like to ask unanimous consent to let him revise and extend his remarks and instead use the word "atrocious." They had the absolute audacity to actually embarrass our Secretary of State on a recent visit to China earlier this year.

How many times have we picked up a newspaper or heard the news that the Chinese have continued to ship missiles to the Middle East? And do we remember our failed efforts in North Korea not too long ago, trying to inspect the nuclear capability of the North Koreans, and it seemed as though the headlines almost were as big about what China may veto in terms of a simple U.N. resolution of support of what we were trying to do.

This should not be a political vote for any of us. Yes, I am a Republican. But, yes, I voted against extending MFN status when President Bush was President, and I will do that with President Clinton in the White House as well today.

The Chinese trade surplus has gone from $6 billion in 1989, to $30 billion in 1993. This bill does not cut off trade, it removes MFN status. That is all. Are we not a proud nation, that has some principles of decency in terms of what we should be doing today?

If we are, we should instead vote for the Solomon amendment, and, if that fails, vote for the Pelosi amendment afterwards.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, I rise today to oppose House Joint Resolution 373. All of us in this Chamber today share deep concerns about the rights and treatment of Chinese citizens. I, too, am very cognizant of the continuing problems in China. However, a disapproval resolution is not the answer.

President Clinton's decision was not easily nor hastily made. It was made with caution after careful consultation and deliberate consideration. The President took a difficult and an important step. His intention to extend MFN was accompanied by specific sanctions and alternative measures for pursing improvement in China's human rights policy. He reiterated his commitment to continue to engage the Chinese Government at all levels: economic, political, commercial and cultural. Such multi-tiered engagement will provide opportunities for expansion of our relationship and influence with China.

In addition, I believe the President took an important step in his commitment to ingtegrate international trade in the strengthening of our domestic economy. The volume of United States trade with China has grown dramatically in recent years and is expected to surge in the next decade alone. China, afterall, is the fastest growing market for United States exports. Export opportunity and growth will increase American job opportunity and growth—something very important to my State of Connecticut.

Each year we face heated debate on this issue. It has always been my fear that if we were to revoke MFN, we would significantly weaken our political and economic position with the central government. Change must be instituted with care and revoking MFN is not the most effective means of doing so.

After Tiananmen Square, we were all outraged. The gruesome memories are still vivid in my mind. Those images rightfully persuaded Members, for the first time, to support conditional MFN on the basis of human rights abuses. I was one of those Members.

Past experience, however, has illustrated that the process of annual renewal of MFN—a trade statute—is not an effective tool to advance improved human rights policy in China. I, too, believe that respect for human rights should be an integral component of United States foreign policy and vigorously pursued as much with China as it is with hundreds of other countries currently.

Continued trade will help to sustain China monetarily, and importantly, it provides a vehicle for the influx of Western ideas and values, a strong impetus for reform at all levels of Chinese society. Impressive economic growth has had a significant impact on Chinese society and its people already. Basic freedoms for Chinese citizens have been expanded as a result of rising trade and economic liberalization with the United States. I remain assured that the President will continue to seek engagement with the Chinese and that alternative foreign policy measures will bring about greater results in the future.

Mr. Speaker, I will also oppose H.R. 4590. Sanctions against products with ties to Chinese entities will inadvertently harm United States companies operating in China. Most of these ties will be severed and the welcome mat will be offered to our Japanese, Taiwanese, and European competitors. China will likely retaliate especially against some of our most visible and valuable exports like aircraft and computers.

H.R. 4590 is harmful, not helpful, to United States-China relations and would be detrimental to United States trade. If the threat of revoking MFN did not achieve its intended goal, a softer proposal surely will not either. I appreciate Congresswoman PELOSI'S continuing dedication to this issue. However, the circumstances have changed since Tiananmen Square and consequently so should our policy. I will oppose both House Journal Resolution 373 and H.R. 4590.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON], a member of the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in firm opposition to House Journal Resolution 273, introduced by my colleague, the gentleman from New York [Mr. SOLOMON], and also to H.R. 4950, offered by my colleague, the gentlewoman from California [Ms. PELOSI]. I firmly support efforts to improve human rights and lower the trade deficit with China. However, the proposals before us will only weaken our relationship with China, at a time when we desperately need to work with her to reverse North Korea's commitment to nuclear weapons development and noncompliance with the nonproduction treaty.

Furthermore, the proposals before us will ironically weaken the very internal forces that will ultimately change China's approach to human rights. Terminating MFN or conditioning it would only serve to polarize and destabilize Asia at a time when, as a region, it is going through a period of highly volatile transformation, a transformation in which not only the United States, but the world's community of nations has an enormous stake.

By passing either the Solomon or Pelosi resolutions, we will threaten $9 billion in U.S. exports that support 180,000 high-paying export jobs. China is the world's largest market for United States computers, telecommunications, environmental technology, and civil aviation products. But this is not just about trade and American jobs. Our manufacturers are doing more to influence change in China than any United States policy ever has.

It is important to note that the Chinese prefer entering into joint ventures with United States companies over our European competitors, because they know our folks are in it for the long run and they care about Chinese workers. Our companies take the time to train Chinese managers and employees in western-style management and production practices which in turn increases their efficiency. People I have met with say they can see the changes occurring on a daily basis and it is incredibly exciting to them.

Pratt and Whitney in my district is applying United States environmental and labor standards to its joint ventures in China. Pratt has highlighted a number of unsafe conditions to Chinese managers on plant walk-throughs that could be hazardous to Chinese employees. The managers in turn are learning how important safety is and understanding the economic impact of unsafe working conditions.

United Technologies and Central Connecticut State University have established the first joint educational institution in China, where they are not only going to be teaching American management techniques, accounting, business, things like that, but they are going to be teaching things like total quality management.

What could be more deeply, systematically, fundamentally democratic, than the kind of team approach to quality, which is the only way to be competitive in modern manufacturing.

These are exactly the kinds of things that will bring about both economic reform and democratization in China. We should be proud of the conduct of American companies and organizations and recognize that they hold the key to reform in their daily encounters with Chinese citizens.

Mr. Speaker, I urge Members to oppose the Solomon and Pelosi resolutions, and allow trade to continue to provide the level of people-to-people contact that will reform China and expand jobs in America.

□ 1510

For it is that respect for one another's talents, that fundamental individualism and self-respect that comes out of the American approach to education that in the end is going to turn around China's human rights policy and instill, as it changes economically, the values on which democracy depends. I urge my colleagues' opposition to the Solomon amendment and, thereafter, the Pelosi amendment.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The Chair advises Members controlling time that the gentleman from Illinois [Mr. CRANE] has 11 minutes remaining, the gentleman from New York [Mr. SOLOMON] has 8 minutes remaining, the gentleman from California [Mr. MATSUI] has 12 minutes remaining, and the gentlewoman from Ohio [Ms. KAPTUR] has 11 minutes remaining.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. INSLEE].

Mr. INSLEE. Mr. Speaker, I rise in strong opposition to the Solomon and Pelosi amendments. I do this based on principles.

I would like to talk about some of those principles. It is a principle or should be a principle of this body that we do not send pink slips to the people we represent and have only to show for it the fact that we will feel better here in the U.S. Congress. Because the result of the Solomon and Pelosi amendments are jobs, thousands of jobs leaving Seattle, leaving Wichita, leaving Cincinnati and going to Europe. What will we have to show to our constituents for it?

We will be able to say that we feel good, that we stood up for human rights. We need more than that. We need a policy that follows the principle, the second principle that China is not Romania, a country of 1 billion people with an emerging industrial base is not Romania. It should be a principle, and it is a principle, that if we want to affect people who are across the chasm, we build bridges to them; we do not knock bridges down with wrecking balls.

This is a principle. It is a principle that we need a clear policy, a principle that when we are angry at China, and we are angry at China, we do not take out the gun and shoot ourselves in the foot. This expresses anger but it does not express good public policy for the people that we represent.

We have a policy that does. The Hamilton amendment, which addresses human rights in China, human job rights in this country, and progress over the long term rather than feel good politics for us.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, I rise today in opposition to the Solomon motion, House Joint Resolution 373, to the Pelosi substitute, H.R. 4590, and in support of H.R. 4891, the Hamilton-Kolbe alternative.

The issue today is not whether we support basic human rights for people in China and elsewhere around the globe; we all support those goals. The issue is how we promote human rights.

Threatening to revoke MFN is only effective as a threat if we are prepared to accept total disengagement from China. Beyond that simple reality is another one: Targeted trade sanctions will undermine our national security interests in this area of the world, rapidly growing in importance. Let me suggest the following three principles for United States-China policy.

Principle 1: Promote human rights through an unconditional extension of MFN.

That is not a contradiction of terms or of policy; the best foreign policy tools available to us to encourage political and civil reform abroad are policies that promote capitalism, market reform, and free trade. All three are powerful levers for political change, precisely because they are powerful mechanisms for economic change.

Our foreign policy towards China should embrace these tools, not condition them. These are precisely the tools we can use to promote the evolution of Chinese society so that its people will be able to press for political reform from within; they are the tools to stimulate Chinese society to adopt a more pluralistic and democratic political process. That, in turn, inevitably leads to greater respect for human rights and personal liberty.

The issue involved in revoking MFN or conditioning China trade has never been whether or not we condone political repression in China. Rather, the fundamental question is this: What action of the United States will further democratic reforms in China? Let me suggest to my colleagues that we can ill-afford to undermine reform-minded Chinese who depend on trade and economic contracts as a means of prying China open for political freedom.

Principle 2: Elevate national security/economic considerations to create a more balanced U.S. foreign policy.

The United States must develop a more balanced China foreign policy in order to take into account our national security interests. The cold war may be over in Central and Eastern Europe, but in Asia, it is still alive.

Economically, China represents a dynamic, expanding market for United States exports in our most competitive, high paying industries. But it isn't for selfish, economic reasons we believe continuing MFN is the wisest policy we can follow. Rather, I would argue that a trade policy that is unilateral, that lacks support of our major trading partners, is a policy that will undermine our national security interests.

Principle 3: Continue foreign policy engagement and utilize other measures to support human rights objectives.

Promoting respect for human rights should continue to be a key objective of United States foreign policy toward China. We should continue to apply our own as well as use multilateral diplomatic preserves to bring about change.

We should encourage respect for human rights by expanding cultural, academic, political, and business contact to share our values.

Because I support the promotion of human rights, because I support it with and through trade, I encourage my colleagues to vote "no" on House Joint Resolution 373, vote "no" on H.R. 4590 and "yes" on 4891.

Ms. KAPTUR. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. LANTOS].

Mr. SOLOMON. Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. LANTOS], a very distinguished Member on this issue.

The SPEAKER pro tempore. The gentleman from California [Mr. LANTOS] is recognized for 3½ minutes.

Mr. LANTOS. Mr. Speaker, I want to thank both of my colleagues for yielding time to me.

Someone listening to this debate might think that what is at stake here is the principle position, which is the position of defending human rights, and the pragmatic position, which is to grant China most-favored-nation treatment. Far from it.

This is one of those fortunate situations when the principle position and the pragmatic position coincide.

It turns my stomach that Members who speak about human rights in Haiti, Members who speak about human rights violations in Nicaragua, and Grenada, and Panama suddenly want to sweep under the rug the outrageous performance of this Communist dictatorship against believers, against workers, against women, against the whole Tibetan people.

Yes, we know where the principle position lies. The principle position lies standing shoulder to shoulder with that young man who faced up to the tanks. He faced the tanks alone. He had the courage of his convictions, and so should have this body.

But it is also the pragmatic position to deny most-favored-nation treatment to the Communist dictators in China. They are now crazy. They know that the essence of their economic development lies in the trade surplus they enjoy with the United States, tens of billions of dollars. They will not throw that away.

If we improve sanctions on them, if we deny them the privilege of selling tens of billions more to us than they buy from us, they will improve their policies. They will change their policies, because they are not principled, they are pragmatic. And pragmatism will tell them that they have to adjust.

□ 1520

Mr. Speaker, let me just say that this fight is not a new fight. When we stood with Shcharansky and told the Soviet Union they have to open the gates, there were those of little faith who said, "Let us work behind the scenes. Let us not make noise. Let us not upset them."

When we fought Ceausescu in Romania they said, "Let us not upset the dictator." We triumphed every time we stood on principle. There is nothing in the Hamilton substitute that does an iota for human rights. It is platitudes, empty platitudes and nothing else.

Mr. Speaker, I strongly urge my colleagues to vote for the measure offered by the gentleman from New York [Mr. SOLOMON] and the gentlewoman from California [Ms. PELOSI], and to vote against the Hamilton substitute. It is the least this body can do. We must show an example to the upcoming generations. We cannot sell our souls for short-term dollar gains. We must stand on principle that coincides with pragmatism.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. MCDERMOTT], my distinguished colleague on the Committee on Ways and Means.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. MCDERMOTT].

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The gentleman from Washington [Mr. MCDERMOTT] is recognized for 3 minutes.

Mr. MCDERMOTT. Mr. Speaker, sometimes when I sit in this body I am struck by the sense of history that has gone on in this body. The proposition offered by the gentleman from New York [Mr. SOLOMON] was tried once before. At the end of the Chinese revolution in 1949, Mao Tse-tung offered to the United States an opportunity for us to become involved with them, to help them develop their country. This country adopted the approach offered by the gentleman from New York, that we will cut off and we will isolate the People's Republic of China. We will bring them to their knees. They will fall. We will have them.

Mr. Speaker, we watched that for 22 years. The end result, in 1969, was that President Nixon, the most unlikely, perhaps, in some people's eyes, of Presidents decided that we should reengage the Chinese. He opened secret negotiations that lasted for over 2 years before we began the public announcement of our relationship with China. It was the decision of a very conservative, very anticommunist President that the best way to engage with the People's Republic of China was through opening the doors of trade.

Mr. Speaker, that relationship, that agreement that was made at that point, certainly was at a time, if we look at China, when there was clearly no democracy, not even whiff of it in the air over there. They were in the midst of the Cultural Revolution, the most antidemocratic period in their history, in recent years, at least.

What has happened since that engagement is clearly what we intended, what we wanted. It was an opening up to our ideas. Their students have come here, they have taken back ideas, and gradually that country has opened up. We must not adopt the 1949 policy and go back again.

Mr. Speaker, my view is that to stop this is to say to the people in China "We are going to cut ourselves off from you. We are going to stop involving ourselves." How will they learn about how democratic institutions work if we cut ourselves off as we did in 1949? It did not work then, and it will not work now.

Mr. Speaker, for that reason I urge my colleagues to vote against the amendment offered by the gentleman from New York [Mr. SOLOMON].

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. FINGERHUT].

Mr. FINGERHUT. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in opposition to the Solomon amendment, and regretfully, I am in respectful disagreement with some of the people in this body who I respect more than any others.

Mr. Speaker, this is a very difficult question before the House, there is no question about that. If we are candid, there are two different questions we are asking today. The first is what is the best way to advance the economic interests of the United States, our people's jobs, markets for our products. The second is what is the best way to advance the cause of human rights.

On the economic argument, it has been pointed out time and again, most eloquently by my friend, the gentlewoman from Ohio [Ms. KAPTUR], that MFN to China costs United States jobs. I have to respectfully disagree. The development of China into a capitalist, free market economy which is underway today is one of the signal developments in the history of the international marketplace. It is going to create a market for goods and services that is so vast it is almost impossible to comprehend.

Mr. Speaker, our competitors will not refrain from entering this marketplace, and if we do, it will be at the long-term cost of our people and our people's jobs.

Second, Mr. Speaker, with respect to human rights, we have a unique opportunity here today, one that I do not believe was in question when we discussed the subject of the Soviet Union, or when we discussed the subject of Romania, or any of the other examples that have been thrown about here today.

We have the opportunity, Mr. Speaker, to engage in the formation of a free market economy; to have our companies and our workers and their companies and their workers engage together to link together in a way that could cement the development of the free marketplace. Mr. Speaker, this, in my

judgment, is the best way to protect human rights and to build on the record of human rights in China in the future.

Mr. Speaker, the President has made a difficult decision. I think we should support him today.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to our distinguished colleague, the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, with all due respect to my friend, the gentleman from Glens Falls, NY [Mr. SOLOMON], I rise in strong opposition to his resolution. I sincerely believe that the most inhumane, immoral thing we could do in our relationship with the largest nation in the world would be to deny most-favored-nation trading status.

Why is that? Simply because it has been exposure to Western values and the king of economic improvement that we have seen in those provinces in China, in Kwangtung and Fukien, which have moved toward free markets, that have improved the human rights situation in China.

As we look at the situation there, it came to light just within the past few weeks that 80 million people were killed during the Mao era. That information did not come out at the time. Why? Because China was a completely closed society. It has been since we have seen the opening in China that that tragic information has come out.

Mr. Speaker, If China were a closed society, that kind of activity could continue to take place. Eighty million lives could be lost again without the rest of the world being aware of it, but today, because of the opening that exists, that could not happen in China without the rest of the world standing up and doing everything possible to oppose it.

Mr. Speaker, as we look at the changes which have taken place over the past 15 years in China, we have to realize that there has been great recognition by many people there. One of the most famous dissidents, Yangzhou, said "MFN status helps our economic reforms, and in the long run, that will improve human rights."

Nicholas Kristof, who was the New York Times bureau chief in Beijing, said "Talk to Chinese peasants, workers and intellectuals, and on one subject you get virtual unanimity: Don't curb trade."

James Fallows, in an NPR editorial not long ago, and he is a noted liberal and the Washington editor of the Atlantic Monthly, said "To carry out the threat to cut off MFN would actually retard the cause of human rights."

The Progressive Policy Institute, a liberal think tank, said "The best reason to guarantee MFN status for China is that it buttresses economic and social forces that are creating demand there in China for political change."

We have an opportunity, Mr. Speaker, to address the human rights situation. The best way to do that is to encourage further United States business investment in China, so we can create greater markets for our goods and improve the plight of the people of China.

□ 1530

Ms. KAPTUR. Mr. Speaker, I yield 2½ minutes to the gentleman from Ohio [Mr. APPLEGATE].

Mr. SOLOMON. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio [Mr. APPLEGATE].

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The gentleman from Ohio [Mr. APPLEGATE] is recognized for 3 minutes.

Mr. APPLEGATE. Mr. Speaker, I thank the gentlewoman from Ohio [Ms. KAPTUR] and the gentleman from New York [Mr. SOLOMON] for yielding me the time.

Mr. Speaker, I would like to associate myself with the remarks of the gentleman from California [Mr. LANTOS] who was very eloquent in his human rights statement and in support of the Solomon amendment. I would like to say to my good friend, the gentleman from California [Mr. DREIER] when it comes to morals, China has broken every law in the book.

Let me just go back to talk about a little different aspect. In 1984, President Reagan went to China to talk trade. China opened their doors to America, we opened our doors to China. But they got 6 percent of the American textile market; we gave them very scientific ways to mine their coal and opened up our coal markets to bring Chinese coal to knock our miners out of work and they did a lot of other things. But what did the United States get? They got 1 billion people who cannot afford to buy American products.

In 1985, the first year after the agreement, the deficit with China was $10 million, that is with an "M," folks. Today it is $25 billion, with a "B." That is 2,500 times more than in 1984. And to help the Chinese in all of this deficit, we gave them most-favored-nation status. The United States got the shaft.

I suppose some Members have read the comic strip Pogo. Pogo said, "I have met the enemy, and he is us."

I do not blame the Chinese necessarily for all of our economic products and losing our jobs. I do not blame them. It is us, the United States.

It is because of stupid trade policy by the U.S. Congress, this administration, and past administrations. China sends their products to us, we send our American jobs to China. And China recently even threatened the United States in saying that if they do not get most-favored-nation status, they are going to support the North Koreans and at that time North Korea was talking about war.

Mr. Speaker, are these our newfound friends? Are we to fear China or are we to stand up for the American worker? You better start fearing the American worker, folks, because the job you save may be your own.

Mr. SOLOMON. Mr. Speaker, I yield 3½ minutes to the gentleman from New Jersey [Mr. SMITH], the very distinguished member of the Committee on Foreign Affairs who has devoted his entire political career here to the issue of human rights.

Mr. SMITH of New Jersey. Mr. Speaker, in May of last year, the President of the United States delivered a tough, no-nonsense human rights ultimatum to the Chinese dictatorship in Beijing.

On May 28, 1993, Mr. Clinton said,

> the core of this policy will be a resolute insistence upon significant progress on human rights in China. To implement this policy, I am signing today an Executive order that will have the effect of extending most-favored-nation status for China for 12 months. Whether I extend MFN next year, however, will depend upon whether China makes significant progress in improving its human rights record.

These mighty and lofty words, from the man who accused former President Bush of coddling dictators in China made it crystal clear that human rights were at the very core of our policy with the PRC, including our economic relationship.

All who decried the cruelty of the Chinese dictatorship—cheered the President's "resolute insistence on significant progress." Hopes were high.

All who empathized with the Chinese victims of forced abortion, religious persecution, police torture, gulag labor, and political repression were grateful to the President for standing up to the tyrants in Beijing.

For some of us, however, it was discomforting to know that the PRC—dispite its deplorable human rights record which showed no signs of abating—was getting another 12 months of favored trade. But the President solemnly promised that future conference of MFN was going to be strictly conditioned on significant progress in human rights. We had President Clinton's word on it.

Now we find that the President has broken his word.

Now we find that our faith—and hope—was vested in a President unwilling to adhere to the human rights principles he himself espoused.

Remember, it was Mr. Clinton who said, "whether I extend MFN next year * * * will depend upon whether China makes significant progress in improving its human rights record."

Sadly, the human rights record in China is a complete failure. Rather than significant progress, 1993–94 has been a period of significant regression.

This spring, President Clinton turned his back on the suffering victims—the oppressed—of China. On May 26, 1994,

Mr. Clinton betrayed those in China who have risked all—including their lives—in their fight against injustice, barbarity, and hatred.

In what is becoming increasingly commonplace in this administration, the President flip-flopped on a major foreign policy—and the consequence of this reversal will be unspeakable misery for many.

In delinking human rights with trade in China, the President has betrayed millions of Chinese whose expectations were firmly fixed on the hope that our country, unlike the others, put human rights ahead of profits.

In a test of wills with Beijing, Mr. Clinton not only blinked, but closed his eyes to the plight of million of people.

My disappointment is with a President who lacks the intellectual honesty to stick with the principled core position he aggressively espoused. The President said all the right things. And with great eloquence. But when his bluff was called by Beijing, he crumbled like a cookie.

China's dictatorship does not deserve MFN. And the burden now rests with Congress to take action in support of Mr. Solomon's resolution.

Forced abortion continues to be employed with impunity against millions of mothers in China each year. Forced abortion and involuntary sterilization are the means by which the state enforces its draconian one-child-per-couple policy. Babies are murdered with poison shots and bodily dismemberment and girls are frequently killed at birth or put in inhumane asylums.

In a sworn affidavit, Dr. John Aird, former chief of the China branch at the U.S. Census Bureau, said "coercion in the Chinese family planning program has in the past 2 years reached its second extreme peak approaching or perhaps exceeding the levels of 1983."

Forced abortion is a crime against both women and children. In China today, women are punished by the state for conceiving a child not approved by state goals. If a woman is lucky or clever enough to escape to deliver an illegal child, and is discovered, she is fined and harshly dealt with.

In December the Chinese Government issued a draft of a eugenics law which would legalize discrimination against the handicapped—however the Government may define handicapped—by forcing sterilization and denying them permission to have children. This policy closely parallels those laws already enforced in several of China's provinces and is eerily reminiscent of the Nazi eugenic program. These are provisions in the policy which would mandate the abortion of any babies which are determined to not meet government-approved standards of health and ability. While the rest of the world moves to protect the rights and the dignity of the handicapped, China is seeking more efficient ways to exterminate them.

Religious freedom—always precarious in Communist China—was further undermined this year with the issuance of two new sweeping decrees.

On January 31, Premier Li Peng issued two executive orders which further restrain religious liberty in China and will have devastating consequences for the underground Protestant and Catholic churches.

Order 144 is titled "Rules for management of foreigners' religious activities." It prohibits all proselytizing activities by foreigners among Chinese. While it allows for foreigners to conduct their own private worship services, they are prohibited from preaching in Chinese churches. It also prohibits the importing of religious goods and publications.

Order 145 regulates management of places of worship. The right to assemble, pray, and worship God—even in your own home—carries severe punishments. Catch-all statements as "No one may use places of worshop for activities to destroy national unity, ethnic unity, and social stability, to damage public health or undermine the national educational system," criminalizes just about anything that a believer says or does. These cruel policies are likely to lead to thousands of new arrests, tortures, and mistreatment. All religious believers in China are asking for is the ability to worship freely and openly. Right now those who do not belong to the government-sponsored churches have no place to worship, many of them are denied housing and work permits, and countless numbers are harassed, detained, tortured—and some have been martyred for their faith.

The Chinese Laogai is not like any prison system we are familiar with. These are forced labor camps similar to the Nazi work camps of another era. It is the most extensive forced labor system in the world, and this system has destroyed the lives of millions of people, and it continues to do so. In January, during a human rights trip to China, I met with several people who bear the permanent scars of years in Chinese prison labor camps. I heard their stories of beating and torture and saw for myself the broken bodies which these camps created.

Recently, Harry Wu, himself a veteran of the Chinese prison labor system, returned from China where he risked his life to document the continued use of prison labor used to manufacture products for export—much of it for export to the United States. The 1992 MOU, a flawed agreement from the beginning, calls for prompt investigation of any claims that forced labor products were being exported to the United States. Customs and State Department officials have said that the Chinese have done nothing promptly. A new agreement, signed in March, allows the Chinese a full 60 days from the time the United States asks for an investigation to allowing an investigation. That is enough time not only to clean up the prisons but to outfit them with karaoke nightclubs.

Human Rights Watch, Amnesty International, and the Puebla Institute have all issued reports detailing the renewed repression of religion, listing priests, ministers, monks, and nuns who are imprisoned or under some other type of detention. All of them have said that religious repression has gotten worse in this past year, and especially since January. Mr. Speaker, I am submitting for the RECORD a list of priests, ministers, nuns, and lay workers as a living tribute to these men and women who refuse to compromise their faith.

Of the nearly 1,500 prisoners of conscience listed by Human Rights Watch, only a small fraction have been released, and little new information has been obtained. And this list of 1,500 prisoners is only a fraction of those who are victims of the Chinese prison system.

China's dictatorship doesn't deserve MFN. Consider this contrast, Mr. Speaker. As we debate this issue, our ships are steaming off Haiti with combat soldiers poised to topple the cruel dictatorship in Haiti. Meanwhile, President Clinton is coddling another dictatorship—a far more dangerous, crueler, and meaner dictatorship in Beijing. Support the Solomon resolution.

Mr. Speaker, I include for the RECORD the following list:

IMPRISONED, DETAINED, OR PERSECUTED CATHOLICS, PROTESTANTS, AND BUDDHISTS IN THE PEOPLE'S REPUBLIC OF CHINA AND TIBET

(Source: Amnesty International, The Cardinal Kung Foundation, Human Rights Watch/Asia, The International Campaign for Tibet, The Puebla Institute.)

CATHOLICS

1. Bishop Johannes Han Dingxiang: 57 years old. Vicar General of Handan diocese, Hebei province. Seized by Public Security Bureau officials on November 18, 1993, after celebrating Mass, and now administratively detained. Previously arrested December 26, 1990, and detained without trial, reportedly in an indoctrination camp in Handan. Released, reportedly some time in 1993, but his movement was severely restricted until his re-arrest. He had been arrested four other times previously, and was imprisoned from 1960 to 1979.

2. Auxiliary Bishop Shi Hongzhen: of Tianjin, Hebei province. As of November of 1993, activities severely restricted; one report said he must return to home village every night, while a second reported that he is under house arrest.

3. Bishop Joseph Li Side: Bishop of Tianjin diocese, Hebei province. In his 60's. Arrested on May 25, 1992. Exiled in July 1992 to rural parish of Liangzhuang, Ji county, which he is forbidden to leave. According to most recent report, held under a form of house arrest on top of a mountain. Previously detained several times, including 1989, when he was arrested for his role in an underground

episcopal conference and reportedly tried in secret.

4. Bishop Fan Yufei: 60 years old. Bishop of Zhouzhi, Shaanxi province. Arrested around Easter 1992 while celebrating Mass; transferred September 1992 to a form of house arrest. Eight priests arrested with him, since released, were subjected to forced indoctrination while in detention.

5. Bishop Lucas Li Jingfeng: 68 years old. Bishop of Fengxiang. Shaanxi province. Following authorities' "invitations" to "study" in April 1992, placed under house arrest. Now restricted to his church in Fengxiang. Health reportedly very poor.

6. Bishop Joseph Fan Zhongliang: Bishop of Shanghai. 73 years old. Arrested June 10, 1991, reportedly in response to the Vatican's elevating another Chinese bishop, Gong Pinmei, to cardinal. On August 19, 1991, transferred to a form of house arrest in Shanghai. Forbidden to leave Shanghai and is kept under surveillance. Police have not returned church and personal property seized from him at time of his arrest. Previously imprisoned for his faith between 1957 and 1982.

7. Bishop John Baptist Liang Xishing: Bishop of Kaifeng diocese, Henan province. Born in 1923. Arrested in October 1990 for "illegal religious activities." He was released, reportedly in February 1991, but remained under police surveillance until his "disappearance: and presumed rearrest on 18 March 1994. Details on his arrest and the location of his detention are unknown.

8. Bishop Vincent Huang Shoucheng: Bishop of Fu'an. Fujian province. Arrested in an unspecified location on July 27, 1990. Remained in detention until June 1991. Now restricted to home village.

9. Bishop Mark Yuan Wenzai: Bishop of Nantong, Jiangsu province. 69 years old. After period of detention, placed under custody of local CPA bishop, Yu Chengcoi, in July 1990, and forced to live at church in Longshan.

10. Bishop Huo Guoyang: Bishop of Chongqing, Sichuan province. Arrested early January 1990, for participation in underground episcopal conference and detailed until early 1991. Now under police surveillance in Chongqing City, Sichuan.

11. Bishop Mathias Lu Zhensheng: Bishop of Tianshui, Gansu province. Born January 23, 1919. Arrested in late December 1989, in connection with underground episcopal conference; released some time afterward, possibly April 26, 1990, as a result of poor health. Now restricted to home village. Served a previous prison term for "counter-revolutionary activities."

12. Bishop Guo Wenzhi: Bishop of Harbin, Heilongjiang province. Born January 11, 1918. Most recent arrest on December 14, 1989, in connection with underground episcopal conference; released in March 1990 to home village in Qiqihar, which he is forbidden to leave. Remains under strict police surveillance.

13. Bishop Jiang Liren: 80 years old. Bishop of Hohhot, Inner Mongolia. Arrested, possibly in November or December 1989, in connection with underground episcopal conference. Reportedly imprisoned until April 1990, when transferred to house arrest. Now confined to his home village and under police surveillance.

14. Bishop John Yang Shudao: Bishop of Fuzhou, Fujian provinced. Most recent arrest on February 28, 1988, in Liushan Village, Fujian. Transferred to house detention in February 1991. Restricted to home village and under close police surveillance. Previously arrested for his faith at least once.

15. Bishop Casimir Wang Milu: 55-year-old Bishop of Tianshui diocese, Gansu province. Arrested April 1984 for counter-revolutionary activities, including ordaining priests (after his own secret consecration as bihop by Bishop Fan Xueyuan in January 1981), having contact with the Vatican and other Chinese Roman Catholics, and criticizing government religious policy and the Catholic Patriotic Association. Sentenced 1985 or 1986 to ten years' "reform through labor" and four years' deprivation of political rights. Imprisoned for a time at labor camp in Pingliang, Gansu and then transferred to a labor Camp near Dashaping in Lanzhou. Released on parole April 14, 1993, he remains under restrictions of movement. Previously imprisoned for his faith during the Cultural Revolution.

16. Father Liu Jin Zhong: Priest of Yixian, Hebei province. Arrested February 24, 1994, while celebrating Mass. Detained in Gu An Xian.

17. Father Wei Jingyi: 36 year-old Secretary of underground Bishop's Conference. Arrested January 20, 1994, with Bishop Su Zhimin of Baoding, Hebei province allegedly for his work in the Bishop's Conference and for meeting with a delegation headed by U.S. Rep. Chris Smith (R–NJ). Bishop Su was released January 29, 1994, but Father Wei remains in detention in an unknown location and reportedly is being held in shackles. Arrested twice before for religious reasons and served a total of five years in prison. Father Wei's ordination has not been recognized as valid by the official Catholic Patriotic Association.

18–19. Fathers Mao Lehua and Guo Xijian: Priests of Fuan, Fujian province. Arrested December 16, 1993, with four nuns and three deacons as they were celebrating Mass in a private house. Father Mao has reportedly been released on bail, but Father Guo remains in detention.

20. Father Chu (Zhu) Tai: Priest from Zhangjiakou city, Hebei province. Arrested November 1993 while celebrating Mass. Sentenced to one year of reform through labor. Serving sentence in Zhangjiakou, Hebei province.

21. Father Yan Chong-Zhao: Priest of Handan diocese, Hebei province. Arrested September 1993 for refusing to renounce his ties to the Vatican and join the Catholic Patriotic Association. Now detained in Guangping county.

22. Father Zhang Li: Priest from Zhangjiakou city, Hebei province. Arrested November 1993 along with another priest whose name is not known and sentenced to three years reeducation through labor at a detention center in Zhangjiakou City. Previously arrested November 1, 1991 (another source says July 1992), while celebrating Mass. He was sentenced to three years of reform through labor and reportedly released March 1993.

23. Father Zhou Zhenkun: Priest of Dongdazhao Village, Baoding, Hebei province. Arrested December 21, 1992, by Public Security Bureau, with Deacon Dong Linzhong in pre-Christmas raid on Baoding area. No other information available.

24. Father Liao Haiqing: Priest of Fuzhou, Jiangxi province. 63 years old. Arrested, reportedly while celebrating Mass, on August 16, 1992. Chinese authorities reported in March 1993 that he had been released, but this has not been independently confirmed. Previously arrested and imprisoned several times, most recently in November 1981. After serving nearly all of a ten-year term, released July 1991.

25. Father Wang Danian: Arrested in June or July 1992 in Suzhou, Jiangsu, with two nuns (since released). Accused of performing illegal missionary work. Not known to have been released.

26. Father Liu Heping: 28 years old. Most recent arrest on December 13, 1991, at his home in Shizhu village, Dingxing county, Hebei province. Reportedly being held without trial; according to another report, has been transferred to house arrest.

27. Father Ma Zhiyuan: 28 years old. Arrested on December 13, 1991, at Houzhuang, Xushui County, Hebei province. All believed in administrative detention.

28. Father Xiao Shixiang: Priest of Yixian diocese, Hebei province. 58 years old. Arrested December 12, 1991 for leading a religious retreat. Reportedly being held without trial; according to another report, has been transferred to house arrest.

29. Father John Wang Ruowang: Priest from the Tianshui diocese, Gansu province. Disappeared on December 8, 1991, while caring for dying Bishop Li Zhenrong. No longer detained, but under restrictions of movement and police surveillance. Arrested December 1989 with his brother, Father Wang Ruohan, for participation in underground episcopal conference; served one year of "reeducation through labor."

30. Father Peter Cui Xingang: Parish priest at Donglu village, Quingyuan county, Hebei province. 30 years old. Arrested July 28, 1991, and held without trial. Current whereabouts unknown.

31. Father Gao Fangzhan: 27 years old. Priest of Yixian diocese, Hebei province. Arrested in May 1991 outside Shizhu Village in Dingxing County. Being held without trial.

32. Father Wang Jiansheng: 40 years old. Arrested May 19, 1991; sentenced to three years of reeducation through labor. Imprisoned in Xuanhua Reeducation Through Labor Center in Hebei province. Chinese authorities reported in March 1993 that he had been released, but he had not been seen at home as of October 1993.

33. Father Chen Yingkui: Priest of Yixian diocese, Hebei province. Arrested in 1991 and reportedly sentenced to three years' reeducation through labor. Reportedly imprisoned in Gaoyang county, Hebei.

34. Father Xu Guoxin: Priest of Langfang diocese, Hebei province. Arrested in 1991 and sentenced to three years' reform through labor.

35. Father Li Xinsan: Priest of Anguo diocese, Hebei province. Arrested in December 1990 or early 1991. Sentenced of three years' reform through labor. Detained in a labor camp in Tangshan, Hebei. Chinese authorities reported in March 1993 that he had been released, but had not returned home as of October 1993.

36. Father An Shi'an: Vicar-general of Daming diocese, Hebei province. Born 1914. Arrested late December 1990 and detained without charge or trial in a Handan indoctrination camp. Released December 21, 1992, but whereabouts are not known. Believed to be under restrictions of movements.

37. Father Peter Hu Duoer: 32 years old. Arrested by Public Security Bureau personnel at Liangzhuang Village, Xushi County, on December 14, 1990. Being held without trial.

38. Father Joseph Chen Rongkui: 28 years old. Arrested December 14, 1990, at the Dingxian train station in Hebei province. Being held without trial.

39. Father Paul Liu Shimin: 32 years old. Arrested December 14, 1990, in Xiefangying, Xushui county, Hebei province. Being held without trial.

40. Father Li Zhongpei: Arrested in December 1990 and sentenced to three years of reeducation through labor. Imprisoned at

Tangshan Reeducation Through Labor Center in Hebei province. Chinese authorities reported in March 1993 that he had been released, but he had not been seen home as of July 1993.

41–44. Fathers Liu Guangpin, Zhu Ruci, Zou Xijin, and Xu: Priests of Fu'an, Fujian province. All arrested July 27, 1990, at Luojiang Church in Fu'an for violating government religious policy. Currently imprisoned. According to one report, Father Zhu has been transferred to house arrest.

45–47. Fathers Guo Quishan, Guo Shichun, and Guo (given name not known): Priests of Fu'an, Fujian province. All arrested July 27, 1990 for violating government religious policy. All three released for health reasons in August 1991. Now under house arrest.

48. Father Pei Guojun: Priest of Yixian diocese, Hebei province. Arrested and imprisoned between mid-December 1989 and mid-January 1990 in connection with underground episcopal conference in Shaanxi province. No recent news.

49. Father Shi Wande: Priest of Baoding diocese, Hebei province. Arrested December 9, 1989, in Xushui, and reportedly imprisoned. No recent news.

50. Father John Baptist Wang Ruohan: Priest from Tianshui diocese, Gansu province. Arrested December 1989 with his brother, Father Wang Ruohan, for participation in underground episcopal conference; served one year of "reeducation through labor." Under restrictions of movement.

51. Father Pei Zhenping: Priest of Youtong village, Hebei province. Arrested October 21, 1989, and imprisoned. Chinese authorities reported in March 1993 that he had been released, but not seen at home as of October 1993.

52. Father Wang Yiqi: Priest of Fujian province. Reportedly arrested in Liushan village, Fujian province, on February 28, 1988. Reports of his release have not been confirmed.

53. Father Francis Wang Yijun: Vicar General of Wenzhou dioceses, Zhejiang province. 75 years old. Arrested May 19, 1982, and sentenced to eight years' imprisonment. Immediately upon his release in March 1990, he was sentenced to an additional three years' "reform through labor" for "stubbornness" and "refusing to repent." Released from prison May 21, 1992; remains under restrictions of movement and association.

54. Father Joseph Guo Fude: Member of the Society of the Divine Word. 69 years old. Most recent arrest and imprisonment in spring 1982. As of late 1986, interned in a labor camp in southern Shandong; according to unconfirmed reports, since transferred to house arrest and/or strict police surveillance. No recent news.

55. Father Joseph Jin Dechen: Vicar General of Nanyang diocese, Henan province. 72 years old. Arrested December 18, 1981, reportedly for opposition to abortion and birth control. Sentenced July 27, 1982, to 15 years in prison and five years subsequent deprivation of rights. He reportedly was held at the Third Provincial Prison in Yuxian, Henan province. Released on parole May 21, 1992. He since has been confined to home village of Jinjiajiang, where he remains under restrictions of movement and association. He reportedly is in poor health.

56. Father Fu Hezhou: 68 years old. Arrested and imprisoned November 19, 1981. Reportedly since transferred to house arrest and/or strict police surveillance. No recent news.

57. Father Zhu Bayou: Priest of Nanyang diocese, Henan province. Arrested in the early 1980s and sentenced to 10 years for leading Roman Catholics on pilgrimage to Sheshan. Released on parole at unspecified date. Now restricted to village of Jingang, Henan.

58. Father Lin Jiale: Reportedly imprisoned in Fuzhou, Fujian province. No other information available.

59. Father Liu Shizhong: Reportedly imprisoned in Fuzhou, Fujian. No other information available.

60. Father Fan Da-Dou: Priest of Beijing diocese. Under house arrest for several years. Not permitted to administer sacraments.

61. Father Li Jian Jin: Of Han Dan in Hebei Province, 28 years old, was arrested the afternoon of 4 March 1994 while celebrating Mass in the home of a lay Catholic. Reportedly "more than ten" fully armed security police participated in the raid, beating Father Li, handcuffing him and taking him away. Several of those present for the Mass also reportedly were beaten, and the police confiscated the Eucharists consecrated for distribution at Mass.

62. Father Lu Dong Liang: of Feng Feng Shi, Dong Ging Liu in Hebei Province was arrested sometime before Easter Sunday while celebrating Mass. Five men and six women attending the Mass also reportedly were arrested. No further information is available about their cases.

63. Father Su De-Qien: Priest of Tianjin diocese, Hebei. Required to report to PSB once a month. Has been prevented since Christmas 1993 from administering sacraments.

64. Deacon Ma Shunbao: 42 years old. Arrested November 6, 1991, in Hebei province. Detained without trial.

65. Deacon Dong Linzhong: Of Dongdazhao Village, Baoding, Hebei province. Arrested December 21, 1992, by Public Safety Bureau, with Father Zhou Zhenkun. No other information available.

66. Ji Xiaoshang: Arrested in June 1992 in connection with funeral of Bishop Fan Xueyan. Six others arrested between April and June 1992 for same reason have since been released; no recent news on Ji.

67. Zhang Guoyan: 35 years old. Layman from Baoding, Hebei province. Sentenced in 1991 to three years of reeducation through labor for refusing to join CPA. Chinese authorities reported in March 1993 that he had been released, but had not been seen at home as of October 1993.

68. Wang Tongshang: Deacon and community leder in Baoding diocese, Hebei province. Arrested December 23, 1990, and sentenced to three years of reeducation through labor. Now serving prison term in Chengde Reeducation Through Labor Center in Hebei. Chinese authorities reported in March 1993 that he had been released, but this has not been independently confirmed.

69. Zhang Youzong (or Youzhong). Lay Catholic arrested in December 1990 or early 1991 and reportedly sentenced to three years' imprisonment. Chinese authorities reported in March 1993 that he had been released, but this has not been independently confirmed.

70. Wang Jingjing: Layman of Fujian province. Arrested probably on February 28, 1988, in Liushan Village. Reportedly released, but this has not been independently confirmed. No recent news.

71. Father Vincent Qin Guo-Liang. 59 years old. Secretly ordained a priest in 1986. Arrested May 1984 in Xi-Ning, Qinghai province. Previously arrested in 1955 and imprisoned for 13 years. Then transferred to No. 4 Brick factory in Xi-Ning where he was detained for another 13 years. After his release he was unable to obtain employment and was forced to return to the brick factory to work until his arrest in May. Currently being held in a labor education camp in Xi-Ning, Qinghai Province.

72. Father Li Xhi-Xin. Arrested March 29, 1994. Currently held in a labor education camp in Xi-Ning, Qinghai Province.

73. Wang Dao-Xian. Lay leader. Arrested April 21, 1994. Currently being held in a labor education camp in Xi-Ning, Qinghai Province.

PROTESTANTS

1. Pan Yiyuan: 58 years old. House-church Protestant of Zhangzhou, Henan province. Arrested February 2, 1994, and charged with "rejecting and refusing to join the official Three-Self Protestant Movement," "possessing reactionary Christian printed matter from overseas," "involvement with overseas Christian organizations," and "contacting Christians in China and opposing the government's religious policies." Now detained, reportedly in Zhangzhou Detention Center. Not permitted visits by his wife. At time of arrest, police confiscated personal letters, diaries, religious books and tapes, bibles, and other personal belongings, from his home. Previously arrested for religious reasons in 1990.

2. Xu Birui: 83 years old. Mother of Pan Yiyuan. Interrogated February 2, 1993, at time of son's arrest. Reportedly under house arrest and interrogated daily about religious activities.

3. Lin Zilong: 80 years old. A district leader of "Shouters" sect, which is outlawed by Chinese government, from Fuqing city, Fujian province. Arrested December 23, 1993, with He Xiaxing and Han Kangrui, by Public Security Bureau officials. Reportedly arrested twice before for religious reasons; served over seven years in prison following arrest in 1983.

4. He Xiaxing: 53 years old. Member of "Shouters" sect. From Fuqing city, Fujian province. Arrested December 23, 1993, and reportedly detained in Jiangjing town detention center.

5. Han Kangrui: 48 years old. Member of "Shouters" sect. From Fuqing city, Fujian. Reportedly now detained in Longtian town detention center.

6. Xu Fang: 21 years old. Femal house-church Protestant from Ankang county, Shaanxi province. Arrested September 1993 with about 24 other Protestants by police seeking to discover who had provided information to West about brutal March 1993 attack on Shaanxi Protestants, including Mai Lanping, who died as a result of torture. Most of twenty-five arrested have since been released, but Xu and at least five others remained in detention as of late January 1994.

7. Li Haochen: A house-church preacher from Sanyi township, Mengcheng county, northern Anhui province. Arrested in March 1993 for organizing a "healing crusade" and held until June; rearrested in September 1993 and charged with counter-revolutionary crimes. Originally thought to have been given a one year sentence, but later reports placed the sentence at three years' reform through labor. Originally held in Mengcheng county prison, Li's current whereabouts are unknown. A second 45-year-old woman, whose name is unknown, was arrested at the same time, reportedly for refusing to close her house church. This second woman subsequently was sentenced to a two year term in a reeducation through labor camp at an unknown location.

8. Ge Xinliang: 27-year-old farmer and house-church preacher from Yuefang township, Mengcheng county, northern Anhui

province. Arrested August 25, 1993, one day after holding a prayer meeting in Simen Village, Qin Zhuang, which was attended by over 100 people. Charged with "disturbing the public order" and accused specifically of organizing others to listen to religious radio broadcasts from Hong Kong; receiving Bibles from abroad; and holding a preachers' training class for about 60 people between December 31, 1992 and January 5, 1993. Sentenced without trial to two years' reform through labor by the Fuyang Prefectural Labor Re-education Administrative Committee.

9. Dai Guillang: 45 years old. House-church preacher from Yuefang township, Mengcheng county, northern Anhui province; and

10. Dai Lanmei: 27-year-old female house-church preacher from Yuefang township, Mengcheng county, northern Anhui province. Both arrested August 25, 1993, with Ge Xinliang (above) and sentenced without trial to three and two years' reform through labor, respectively, by the Fuyang Prefectural Labor Re-education Administrative Committee. The official sentences for all three preachers accused them of "conspir[ing] together, using their belief in the 'Spiritual Trust' sect to proclaim that the tribulation was coming, thus causing believers to stop participating in production." All three reportedly detained in Xuancheng Labor Camp in Anhui province.

11. Guo Mengshan: 41 years old. House-church preacher from Wangdian (or Wangding) township, Lixin county, in northern Anhui province. Arrested July 20, 1993, with

12. Liu Wenjie and

13. Zheng Lanyun, both house-church preachers. All three accused of conducting "New Believers' Edification" classes for five days in rural area of Dafeng. Guo Mengshan held without charge under "shelter and investigation' procedure for over three months and then administratively detained without trial on 11 October 1993 to three years' reform through labor for itinerant preaching." Sentences of Lin and Zheng unknown. After detention in Mengcheng county prison, all three reportedly detained in Xuancheng Labor Camp, Anhui province.

14. Zhang Jiuzhong: House-church preacher from Jiwangchang township, Lixin county, northern Anhui province. Arrested in 1993 for "illegal" religious activity. Sentenced in October 1993 to two years' reform through labor.

15–17. Xhang Lezhi, Yan Peizhi, and Xu Zhihe: 32, 35, and 50 years old respectively. Protestants from Shandong province belonging to New Testament Church. Arrested September 1992; sentenced December 1992 to three years' reeducation through labor for "illegal" religious activities, including membership in banned New Testament Church. Now detained in Chang Le County labor camp. At time of their arrest, PSB officials confiscated religious literature and personal belongings from them. Following his arrest, Zhang was tortured with electric batons, chained, and beaten.

18. Zheng Yunsu: Leader of popular Jesus Family religious community in Duoyigou, Shandong province. Arrested in June 1992 with thirty-six other community members, including his four sons. Their arrest is thought to be in part the result of the community's May 1992 efforts to prevent security forces from tearing down their church. The elder Zheng was charged with holding "illegal" religious meetings, "leading a collective life," disturbing the peace and resisting arrest. Sentenced to 12 years' imprisonment. Thought to be held at the Shengjian Motorcycle Factory labor camp near Jinan city. Other community members received sentences of five years (another source says three). PSB officials raiding church compound in June 1992 leveled the church and confiscated personal property.

19. Zheng Jiping. Eldest son of Zheng Yunsu. Arrested June 1992 in raid on Jesus Family religious community and sentenced to nine years' imprisonment. Held in an unknown location.

20. Zheng Jikuo: Third son of Zheng Yunsu. Arrested June 1992 in raid on Jesus Family religious community and sentenced to nine years' imprisonment. Held in an unknown location.

21–22. Zheng and Zheng (given names unknown). Sons of Zheng Yunsu. Arrested June 1992 in raid on Jesus Family religious community. Sentenced to five years' imprisonment at unknown location(s).

23. Xie Moshan ("Moses Xie"): A house-church leader from Shanghai in his early 70s, he was arrested 24 April 1992 on charges of "conducting illegal itinerant evangelism." and released 23 July 1992. His movement is severely restricted and he is required to report periodically to local Public Security Bureau. His mail is regularly intercepted and read by local authorities.

24. Chen Zhuman: 50-year-old member of New Testament Church in Fujian. Arrested December 14, 1991. Tortured and beaten by police at Putian County Detention Center, he reportedly was left hanging upside down in a window frame for an extended period of time. Sentenced without trial in July 1992 to three years; reeducation through labor for joining an "illegal" church and having contact with foreign coreligionist. Transferred a month later to a prison in Quanzhou, Fujian, where he was again tortured by prison guards, who also encouraged other inmates to beat him. He reportedly suffered hearing loss and other disabilities as a result of the torture.

25–28. Wang Dabao, Yang Mingfen, Xu Hanrong, and Fan Zhi: House-church Protestants arrested in Yingshang County, Anhui province, after August 1991.

29–31. Zhang Guancun, Zeng Shaoying, and Leng Zhaoqing: House-church Protestants arrested in Funan County, Anhui province, after August 1991.

32. Mr. Dai: Bible distributor from Hubei province. Arrested June 1991. No other information available.

33. Zhang Ruiyu (or Chang Rhea-yu): Physical education teacher and house-church Protestant from Xianyu County, Fujian province. Fifty-four years old. In May 1990, she was badly hurt during a Public Security Bureau raid on her home. She was tortured with electric shocks and beatings that caused her to lose several teeth. PSB officers confiscated Bibles and Christian literature from her home. From that point until her detention on 25 August 1990, she was harassed and reportedly tortured by PSB officials. She was charged on May 27, 1991, with "inciting and propagating counter-revolution" (a charge carrying a maximum sentence of life in prison) and with "disturbing seditious propaganda." Tried April 9–10, 1991, and sentenced to four years in prison. Thought to be detained in a women's prison in Fuzhou.

34. Yang Rongfu: House-church Protestant of Anhui province. Reportedly arrested before June 1990 for unspecified reasons. Now prevented from seeing his family.

35. Xu Guoxing: Shanghai house-church leader. Born March 16, 1955. Arrested November 6, 1989; sentenced November 18 to three years' reform through labor. Currently imprisoned in Defeng, Jiangsu.

36. Xu Yonge: Leader of a house-church network in central China and founder of "New Birth" Protestant Movement. Fifty-two years old. From Nanyang, Zhenping County, Henan province. Arrested April 16, 1988, in Beijing, where he had gone to attend a worship service led by the American evangelist Billy Graham. At the time of his arrest he was being sought as a fugitive, having escaped from prison in 1983. He was sentenced to three years' imprisonment. Held in Zhenping County Prison, Henan, until April 26, 1991, and in Henan Public Security Bureau office until May 20, 1991, when released. He reportedly was in ill health during his confinement. Remains under very strict police surveillance. Possibly being forced to report periodically to the local Public Security Bureau. One source reports that he was released only after a relative promised to keep him from resuming his religious activities.

37. Zhu Mei (or Sha Zhumei): Born May 12, 1919. Member of an independent Protestant church. Arrested June 3, 1987, in Shanghai; reportedly beaten by police. Tried November 3, 1987, reportedly in secret; convicted of "harboring a counter-revolutionary element." Released on parole on April 3, 1992, for medical reasons stemming from torture in prison. Hospitalized for two months. Remains under some travel and other restrictions. Previously imprisoned for her faith during Cultural Revolution.

38–40. He Suolie, Kang Manshuang, and Du Zhangji: House-church leaders from Henan province. Arrested in 1985 for opposing the TSPM. Sentenced in 1986 to eight, five and four years in prison, respectively. Not known to have been released.

41. Song Yude: Forty years old. House-church leader from Tongbo county, Henan province. Arrested July 16, 1984. Tried January 29, 1986; sentenced to eight years' imprisonment for "counter-revolutionary" activities, including holding "illegal" religious meetings, criticizing the TSPM, and setting up new house churches. Released from prison in April 1992. Still deprived of political rights, and possibly restricted in his movements.

42. Pei Zhongxun (Chun Chul): Seventy-six-year-old ethnic Korean Protestant leader from Shanghai. Arrested in August 1983 for counter-revolutionary activities. Although he was accused of spying for Taiwanese government (because of ties to Taiwanese Christians) and of distributing Bibles and other Christian literature to others in the house-church movement, he was charged with "counter-revolutionary crimes," a charge often used in cases where the authorities do not have enough evidence to convict. Sentenced to 15 years of imprisonment. Currently reported imprisoned in Shanghai Prison No. 2. His family is permitted to visit for one-half hour each month. He reportedly has begun to suffer from deteriorating eyesight due to cataracts.

43. Wang Xincai: A 31-year-old (another source places his age at 39) evangelical leader from Zhangcun (Ahandeum) Village, Fuling Brigade, Xinji Commune, Lushan County, he was arrested on 9 July 1983 along with

44. Xue Guiwen: A 38-year-old evangelical from Liuzhuang Village, Xinhua Brigade, Zhangdian Commune, Lushan County,

45. Wang Baoquan: 67-year-old evangelical elder from Chengguan Township, Lushan County, and

46. Geng Minxuan: a 58-year-old (another source places his age at 66) evangelical elder from Sunzhuang Village, Malon Commune, Lushan County. The four men were arrested

along with Zhang Yunpeng, Wang Xincai and Cui Zhengshan and charged with belonging to an evangelical group outside the government-sanctioned Three Self Patriotic Movement; plotting to overthrow China's proletarian dictatorship and social system; having ties to overseas reactionary forces; receiving and distributing foreign materials; disturbing the social order; and disturbing and breaking up normal religious activities. Wang Zincai was sentenced to fifteen years in prison; Geng Minxuan received an eleven-year sentence. The sentence of Xue Guiwen and Wang Baoguan are unknown. All seven men were sentenced on 2 June 1984, and all were deprived of their political rights for five years.

47. Bai Shuqian: Elderly member of Little Flock house church from Ye County, Henan province. Arrested in 1983; charged with belonging to the Shouters, holding illegal religious meetings, and receiving foreign Christian literature. Sentenced to 12 years' imprisonment. As of March 1987, thought to be held in Kaifeng, Henan.

48. Zhao Donghai: House-church leader from Henan province. Sentenced to 13 years' imprisonment in 1982 or 1983 for counter-revolutionary activities.

49. Li Tian An: In his late 60s, is the most senior unregistered house-church activist in Shangai. He reportedly went into hiding in early January 1994 after local PSB officials ordered him to report his house-church activities to them on a regular basis.

50–51. Mr. Lalling and Mr. Nawlkung: (given names unknown). Reportedly arrested and jailed for distributing Christian literature. Reportedly being held in the Yunan State Prison near the Burmese border.

52–54. Zhang Yongliang (43 Years old), Tian Mingge and Zheng Xintai (ages unknown) were arrested along with seven foreign national Christians during a 11 February 1994 raid of a house near Fangcheng, Henan province, by PSB agents. Earlier that day, the same house had hosted an unregistered church service attended by between seventy and ninety people. After their arrest, the ten were held and interrogated in the Fangcheng PSB detention center. The seven foreign Christians were released on 15 February 1994 and expelled from the country. Tian, Zhang and Zheng continued to be held at Tangcheng until their early March release. Several of the foreign national Christians have stated that they could hear the three being tortured at the time of their arrest.

55–56. Wang Jiashui: a local church pastor in Huize County, Yunnan Province, and He Chengzhou, and evangelist in the same region, reportedly had bounties for their seizure (dead or alive) placed on their heads in March or April 1992 by local authorities. Other house church members in the region have reported repeated occasions where they have been arrested without warrants, bound, beaten with clubs, given electric shocks, or heavily fined. Some detainees' homes have been searched. The attacks and death threats appear to be part of an organized campaign by local authorities to terrorize and intimidate underground Christians in the region, which by some estimates is one-third Christian.

BUDDHISTS

(The following Tibetan Buddhist nuns from different monasteries are currently being held in Drapchi prison. Arrested originally for their participation in small non-violent independence demonstrations. All of their prison sentences were increased in October, 1993 because they were signing songs which authorities claimed were pro-independence)

1. Ngawang Choezom: 22 years old from Chubsang nunnery. Sentence increased to a total of 11 years.

2. Gyaltson Choezom: 21 years old. From Garu nunnery. Sentence increased to a total of 9 years.

Gyaltsen Drolkar: 19 years old. From Garu nunnery. Sentence increased to a total of 12 years.

4. Ngawang Sangdrol: 18 years old. From Garu nunnery. Sentence increased to a total of 9 years.

5. Lhundrup Znagmo: 23 years old. From Michungri nunnery. Sentenced increased to a total of 9 years.

6. Phuntsog Nyidron: 23 years old. From Michungri nunnery. Sentenced increased to a total of 17 years. Given the most severe sentence because of her official position as chant mistress in the nunnery.

7. Tenzin Thubten: 20 years old. From Michungri nunnery. Sentence increased to a total of 14 years.

8. Ngawang Choekyi: 23 years old. From Samdrup Drolma nunnery. Sentence increased to 13 years.

9. Ngawang Loohoe: 19 years old. Samdrup Drolma nunnery. Sentence increased to 10 years.

10. Ngawang Tsamdrol: 21 years old. From Samdrup Drolma nunnery. Sentence increased to 10 years.

11. Jigme Yangchen: 23 years old. From Shungseb nunnery. Sentenced increased to 12 years.

12. Palden Choedron: 19 years old. From Shungseb nunnery. Sentence increased to 8 years.

13. Rigzin Choekyi: 20 years old. From Shungseb nunnery. Sentence increased to 12 years.

14. Namdrol Lhamo: 28 years old. Nunnery unknown. Sentence increased to 12 years.

15–25. Eleven nuns from Garu nunnery were arrested on June 14, 1993 prior to a planned peaceful pro-independence demonstration. The nuns range in age from 18 to 25 and sentenced to prison terms from two to seven years.

26. Phuntsog Gyaltsen: 36 years old. Tibetan Buddhist monk serving 12 years in Drapchi Prison. According to Amnesty International sources he is suffering liver and stomach ailments but is still required to perform prison labor. He has reportedly been beaten several times during his imprisonment.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. BACCHUS].

Mr. BACCHUS of Florida. Mr. Speaker, I rise today in opposition to the Solomon resolution, in opposition to the Pelosi amendment, reluctant opposition, and in support of the Hamilton amendment and the President of the United States.

This is an issue on which friends and allies on both sides of the aisle can and do disagree. For example, there is no one in this House that I admire more and there are few I admire half as much as I admire the gentlewoman from California [Ms. PELOSI]. She is the ideal of what a Representative should be and I hope her constituents in California realize how very well she represents them. I share her values, I share her goals. Yet on this issue at this time, I do not share her conclusions.

In 1979 and 1980, I had the privilege of working in the office of the U.S. Trade Representative, in helping implement our first trade agreement with the People's Republic of China. I have dealt with this issue before.

I agree with each and every one of the criticisms that have been offered of the Chinese regime here on this floor today. But my conclusion is this: Reducing trade with China will not reduce oppression in China. The best way to serve the cause of human rights in China is to trade with the Chinese. Trade will create prosperity, prosperity will create a Chinese middle class, a growing middle class in China will demand more and more and more political freedom and more freedom will help secure more human rights.

A vote for the Hamilton amendment is by far the best vote for human rights.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. KNOLLENBERG].

Mr. KNOLLENBERG. Mr. Speaker, I rise today in opposition to the Solomon resolution.

I would just like to make a couple of points.

Trade restrictions are successful only when they are universally observed. Leaky sanctions do not work—as we can see now in Haiti, Serbia, and North Korea.

And in the case of China MFN, we are the only country in the world considering trade sanctions. Not one G–7 or Asian nation is following suit.

The China MFN debate is not about far-reaching international policy. Simply put, it is about involving ourselves in the internal affairs of another country.

Could you imagine if another country sought to impose trade sanctions on us because of our nagging crime problem? At the very least, we would laugh at them.

History shows us that political freedom is invariably tied to economic prosperity. It is basic human nature. If you have to spend all of your time and energy, providing your family with food, clothing, shelter and basic economic security, you are less inclined to ponder the finer points of political theory, such as democracy and freedom of speech.

Thus, the best way for us to combat political repression and foster human rights is to engage them economically. By trying to inflict harm on the Chinese economy, we only foster an environment more prone to political repression.

Sanctions are only useful when they seek to improve international relations. A completely different set of rules apply when we look to shape a country's internal policies and culture.

Again, I urge my colleagues to vote "no" on the Solomon resolution.

□ 1540

Ms. KAPTUR. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I rise in support of the Solomon amendment and commend him and the gentleman from Virginia [Mr. WOLF] and others who have worked on this. I also rise in support, in case I am not able to speak later, in behalf of the Pelosi amendment and I commend her for all of her effort on behalf of oppressed people throughout the world, but also her campaign on behalf of Chinese dissidents, workers and those who are subject to the political system.

I think we should remember that it is not just that we bestow most-favored-nation status on the nation of China, but when we do so in reaction to what has taken place, and with knowledge of what has taken place in China, and with knowledge of what has taken place since the President's Executive order when they did nothing to try and to comply with that order, that that is the only reason we are here today. Had the Chinese made a reasonable effort to comply with the President's Executive order there would be no need for the Solomon amendment or for the Pelosi amendment. We in fact would have had a unified policy and we would have had a response from the Chinese people that good-faith efforts were being made in the total of their efforts in a number of those areas outlined by the President.

But we are here today because the Chinese rejected it out of hand. They rejected it on the world stage, the President of the United States and the country.

So if we do not accept the Solomon amendment or the Pelosi amendment we grant them far more than most-favored-nation status, because people who are oppressed around the world, who have lost their religious freedoms, do not have the right to organize in their workplace, children who are subject to child labor, prisoners who are abused and used in labor for exports, those people have only one place to look in the world, and that is the United States. What we do by our actions of extending most-favored-nation status to China is we loan them our principles, our symbols, our culture, our history, and we ought not to cheapen those principles and our history by giving away most-favored-nation status.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I rise in opposition to the Solomon amendment and the Pelosi amendment and in support of the Hamilton amendment. I do so reluctantly because I have a great deal of respect for the gentleman from New York [Mr. SOLOMON] and the gentlewoman from California [Ms. PELOSI], two Members of Congress who I greatly admire, who I work with legislatively and who are certainly some of the most popular Members of this Congress. But the legislation is not about popularity. It is not a question of popularity.

It is not a question of who stands with that gentleman that stood down that column of tanks; 435 of us in the House of Representatives stand with that person. We admire his courage.

The question is not one about who can condemn the heinous actions at Tiananmen Square; 435 of us in the body condemn what the Chinese Government did on that day in 1989.

The question is not, ladies and gentlemen, about who thinks that the gulags and the forced labor in China are wrong; 435 of us think that that policy is wrong.

The question is a very difficult one today, especially, and the question is this: How do we craft a foreign policy that achieves workable and effective change in China? That is the difficult question in today's environment. I am afraid if we pass Solomon and Pelosi that we now have a two- or three-tier system of human rights. We treat Burma, and Mexico, and China, and South Africa all differently. We do not treat them the same.

Mr. Speaker, I rise today to oppose the Solomon resolution and to express my strong support for the Hamilton substitute, which the House will be considering next.

I applaud both Representive SOLOMON and Representive PELOSI for their tireless campaign to improve human rights in China. Yet, the sad reality is that revoking MFN would actually subject the cause of human rights, and would result in the inability of the United States to influence any Chinese regime. President Clinton understands this rationale, and it prompted him to modify his approach to China MFN his year.

Unfortunately, MFN is no longer the vehicle by which we can achieve our human rights prerogatives. China's economy has evolved to a point at which United States efforts to bully Chinese leaders has long since past. Removing MFN status would certainly hurt the Chinese economy for months or years but, given China's rapid integration with other Asian economies and its growing trade with the European Community, such a blow would not be permanent. Such a blow, however, would prove to be irrevocably disastrous to U.S. business and economic interests.

I support President Clinton's new comprehensive China policy, which is encompassed in the Hamilton substitute the House will consider today. I believe that it will bring long-term stability to our relations with China and establish consistency to our worldwide MFN trade policy.

We must stop singling-out China with annual threats of MFN revocation because of human rights abuses. The United States extends permanent MFN status to Burma, one of the most intolerant and repressive countries in Asia, if not the world. Yet, every year we scrutinize China's policy. We cannot have two or three tier human rights policies in reflected foreign policy. We cannot treat Burma one way, Mexico another way, and China a third way.

Finally, from a geopolitical standpoint, it would be detrimental to our hard-won diplomatic and economic accomplishments in the East Asian region if they revoke China's MFN status. With the entire East Asian region becoming more and more economically integrated as never before, the United States can ill afford to disengage from this region and its potential partners at this critical junction. Even Taiwan, China's long-time rival, strongly supports the unconditional extension of MFN to China.

I urge my colleague to vote "no" on the Solomon resolution and Pelosi bill. The Hamilton substitute is the only workable approach to improving human rights in China.

Mr. CRANE. Mr. Speaker, I yield my remaining 1 minute.

Mr. Speaker, we have heard that "consistency is the hobgloblin of small minds," and I think that explains the administration promoting free trade with regard to China and clobber Haiti with economic sanctions. And we all know the consequences of those economic sanctions in Haiti. They are not effecting the change on the tyrants in power, they are providing enormous hurt to the Haitian people.

By contrast, the promotion of free enterprise on that Chinese mainland has improved the human conditions for literally hundreds of millions of Chinese people, and it is growing steadily and dramatically, the most dramatic on the face of the Earth. We should all remember John Kennedy's counsel: A rising tide lifts all boats. Promote a rising tide in terms of economics on the mainland, and we all and the rest of the world will all be beneficiaries thereof.

Ms. KAPTUR. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, since we decoupled our trade policy from human rights discussion, China has become more repressive. We need to make sure that the Chinese regime understands absolutely that we do not treat bloody dictatorships in the same way that we treat democratic nations.

Those people who are suggesting that we continue most-favored-nation status right now tell us that something will happen by magic, all of a sudden we will reach a critical mass because there has been so much trade going on, and the prosperity has increased that the people then will demand freedom, and communism and dictatorship will crumble. That is absolute nonsense.

We decoupled our human rights policy with our trading policy and we have more repression right now. The fact is Nazi Germany did not have a

great human rights program simply because they were a prosperous Western country.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. HARMAN].

Ms. HARMAN. Mr. Speaker, I rise in strong support of the President's policy to extend most-favored-nation status for China, and in opposition to House Joint Resolution 373, the Solomon resolution, and H.R. 4590, the Pelosi bill.

The President correctly puts the issue in his letter of August 4 to the Speaker:

> When you vote on China * * *. You will advance a policy that will carry us into the next century. In that century, China likely will develop the world's largest economy, help determine whether nuclear weapons proliferate to unstable regions, grapple with the world's largest pollution problems. And of course, China will decide whether to join or to buck the global community—safeguarding internationally recognized human rights for its citizens. The question you must ask is what approach promotes all of these U.S. interests.

For me, the answer is to extend MFN without restrictions and take collateral measures including those outlined in the Hamilton substitute to help China improve its human rights policy.

I agree with my friend and colleague from California, Ms. PELOSI, that human rights is an important component of China-United States relations, and I respect her tireless efforts to promote democratization and peace in that region. However, we must not forget that human rights is one of several critical issues that must be considered, including: China's cooperation on North Korea and regional security, arms proliferation, narcotics trade, alien smuggling, and the opportunity to create United States jobs through increased trade.

As a member of the House Armed Services Committee, I am particularly concerned about proliferation. United States policy toward China must address this issue. To curb Chinese arms sales, the Department of Defense has established a joint commission on defense conversion to encourage the production of civilian rather than military products. I support this concept for China because its need to export weapons will diminish through commercialization of its industries.

This program would also facilitate joint ventures between United States businesses and Chinese defense firms willing to convert to civilian production. Economic liberalization is an essential ingredient for political democratization and adherence to internationally recognized human rights. The recent growth of export-oriented free enterprise in southern coastal China has already spurred economic reform and weakened Beijing's influence on that region. DOD's program may act as a catalyst to these reforms, and we in Congress should give it our full support.

In a recent letter to the Speaker of the House, Secretary of Defense William Perry said that if H.R. 4590 is passed,

> China could decide to take a number of steps to undermine important U.S. security interests, including: distancing itself from U.S. policy on North Korea, blocking a sanctions resolution at the United Nations, or raising tensions over U.S.-Taiwan policy, or undertaking destabilizing arms sales.

H.R. 4590 would also impose unworkable and unenforceable sanctions against goods produced by the Chinese Army, defense-related enterprises, and state-owned enterprises. This approach does not reflect the reality of China's economy, in which there is no clear distinction between state-owned and private enterprises. The Commissioner of U.S. customs predicts an enforcement nightmare if the Pelosi bill were to become law.

It is not clear that human rights conditions in China would improve under H.R. 4590. A more likely consequence is a virulent trade war that will foil the exportation of $9 billion in United States goods to China.

Mr. Speaker, continued United States-China relations are essential to our mutual economic benefit and to international peace and stability. The President's decision to pursue human rights efforts delinked from MFN and in the context of a broader United States-China relations is prudent policy. By revoking or partially revoking MFN status for China, Congress would undermine important United States security interests, and would ultimately damage United States credibility in this region. I therefore urge my colleagues to vote against House Joint Resolution 373 and H.R. 4590.

□ 1550

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The gentleman from New York has the right to close. The gentleman from New York [Mr. SOLOMON] has 2½ minutes remaining, and the gentlewoman from Ohio [Ms. KAPTUR] has 3½ minutes remaining. The gentleman from California [Mr. MATSUI] has 1 minute remaining.

Ms. KAPTUR. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. SOLOMON] for his closing statement.

Mr. Speaker, I yield myself the remainder of my time.

The debate this afternoon on revoking China MFN status is really not a debate about whether there shall be trade with China or there shall not be trade with China. It is not a debate about whether we will be isolationist toward China or whether we will be engaged. We are engaged.

The question is, What are the terms of that engagement? Why should the United States grant red-carpet treatment to China when China does not grant the same treatment to us? Even with MFN, which is our most-favored-nation tariff treatment, the lowest possible treatment we could give any nation in the world, the cheapest way for them to get in our market, they will keep their tariff 10 times as high against this country. I do not consider that reciprocity.

Why should the United States grant red-carpet treatment to China when no other nation in the world grants them this type of treatment? One-third, nearly 40 percent, of China's exports now come here. Only 2 percent of our exports go there.

They are a nation of 1 billion people. We are a nation of 250 million people. The scales are not balanced, my friends.

Japan does not offer them that treatment. Germany does not give them most-favored-nation treatment. France does not give them that treatment. Mexico does not. The rest of Asia does not. Why do we continue to do this to the people of the United States of Amercia? Why should we give them this red-carpet treatment when it is going to cost us $180 million in lost tariff revenue at a time of very high deficits? Why are we doing this to ourselves? Why are we doing this to ourselves?

Most importantly, why should the United States grant another benefit, another trading benefit to China, a nation that is essentially undemocratic in its practices? It is beyond my comprehension why in this post-cold-war era the United States cannot stand tall for free enterprise and democracy-building simultaneously.

We always seem to take it out of the hide of our own people.

So the real debate today is to vote yes on Solomon and yes on Pelosi to revoke most-favored-nation treatment and make China behave like all the rest of the nations in the world.

Mr. MATSUI. Mr. Speaker, to close, I yield 1 minute, the balance of our time, to the gentlewoman from Washington [Ms. CANTWELL].

Ms. CANTWELL. Mr. Speaker, between now and the year 2000, China is expected to import products worth $1 trillion. Last year, exports from Washington State to China totaled $2.2 billion, and supported more than 40,000 jobs. In the next 15 years, it is estimated that China will need 800 new aircraft worth $40 billion.

The potential market in China is enormous. Trade sanctions will only result in a vicious cycle of retaliation, leading to the closure of the largest emerging market in the world and the loss of American jobs.

I understand and respect the arguments on the other side of this issue. I believe, however, that the promotion of human rights in China can best be achieved through an expanded strategy of comprehensive engagement with China. Most important, we must remain engaged economically. By doing

so, we will be encouraging the economic reforms already occurring in China.

The economic transformation of China has led to a rising middle class, which is quietly challenging centralized control of the Chinese Communist Party. The enforcement of economic rights is spilling over into the recognition of individual rights under the law. Limiting United States trade with China will only serve to undermine our best hope for fundamental, lasting human-rights progress in China. I urge my colleagues to defeat the Solomon resolution.

If the Chinese retaliate against United States products, as they surely will if MFN is revoked, our international competitors will quickly step in. The potential market for U.S. exports will shrink, and U.S. jobs will be lost.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the shirt I am wearing was made in Glens Falls, NY. It cost $20. It is a very nice shirt. If we revoke MFN for China and hike the tariffs, shirts coming from there will cost $8 and $10, and they still are going to sell for 50 percent less than the shirt I am wearing. How can our people compete?

You know, trying to woo China into the club of civilized nations by treating her as just another trading partner has failed, as has the President's policy. I wish it had not.

Now, we are faced with a situation where the executive branch is delinking most-favored-nation treatment from human rights and other issues such as trade and proliferation policies. That action is a signal to all of the oppressed people around this world that America no longer cares. That message may be unintentional, but that is the signal we will be sending, that America is more interested in the almighty dollar than we are in helping to free human beings from the tyranny of communism.

My colleagues, the world respects the United States of America because we stand for something, something different and something good. America is not just a people. It is not just a race. It is not a religion. America is a set of ideals. In short, America has always espoused the philosophy that human beings should live as free individuals, unfettered by intrusive or repressive governments. These ideals define the very essence of who we Americans are.

If we allow ourselves to succumb to the temptations to be just like everybody else or to do business as usual with any dictator, we will lose the essence of our ideals. We will lose who we are. It is simply a fact that if America will not stand up to this kind of tyranny and oppression, nobody will. Since military solutions are often unrealistic or undesirable, trade remains the best weapon we have to stand up to these inhumane philosophies that have no respect for treating people as decent human beings.

We have an opportunity. We must apply leverage where we can in order to defend freedom, to deter aggression, and, yes, to protect American jobs.

Mr. Speaker, my colleagues, when a regime destroys American jobs by refusing to allow fair access to American goods, America has to say no to business as usual.

I urge my colleagues to vote yes on the measure to cut MFN off. We can reestablish it in 6 days, 60 days, or 6 months, but let us send the message that we will not stand for this kind of treatment for human beings.

Should my resolution fail, I would urge strong support for the amendment of the gentlewoman from California [Ms. PELOSI]. She has a reasonable alternative.

Mr. Speaker, I yield back the balance of my time.

Mr. KIM. Mr. Speaker, I rise in opposition to this resolution. This drastic action will seriously hurt American jobs, exports, and businesses.

I am very concerned about the serious violations of human rights in China. We, as a democratic Nation, must be concerned about China's treatment of its people. We must condemn any violations of human rights.

However, denying most-favored-nation status will certainly not improve human rights. On the contrary, the average Chinese citizen will suffer. We must recognize that the rights of Chinese people have now were brought about by economic reforms and American investment—not by political pressure.

An important question for us to ask is if we deny China most-favored-nation status who would suffer? First and foremost would be the Chinese people. Our trade with China gives economic opportunities to the common people of China that has enabled them to improve their lives and built a growing middle class. A middle class that believes in capitalism, not communism. Denying the Chinese people continued exposure to democracy and capitalism will only weaken human rights in China.

Second, we would be hurting our own people. China is the biggest potential market for many important American exports. I am especially concerned about the impact of this resolution on California's key aerospace industry. The United States enjoys a 76 percent share of the Chinese market. China's aerospace imports support 40,000 American jobs. We have an aerospace trade surplus with China of $2 billion and a future sales estimate of $40 billion in new, American aircraft.

The Chinese don't have to buy American and if this bill passes, I know they won't. Our aerospace competitors in Europe, Japan, and Russia are ready to step in if we foolishly step out. American jobs and competitiveness will be lost. Passage of this resolution will seriously hurt the American economy at this very critical time of recovery.

The best way to promote successful political reform in China is to pursue economic liberalization and increased trade with the United States. Human rights will improve through positive engagement—not by abandoning the Chinese people. I urge my colleagues to join me in opposing this flawed resolution.

Mr. PORTER. Mr. Speaker, when this body last voted on the Solomon resolution, it was not an action vote, it was a message-sending vote. We knew the President would veto the legislation if it passed, and we were all simply sending a message to the Chinese leadership that carried no possibility of harm to trade with China, to the growing private enterprise sector of the Chinese economy, to our friends in Hong Kong, or to United States business interests established or being established in the new Chinese economy.

All that has changed. The message sending was needed, because our President never expressed the outrage of the American people with Tiananmen or with ongoing human rights abuses in Tibet or of the rights of the Chinese people to speak or worship or assemble as they might choose. Congress provided the vehicle to send those messages and did so well.

But now we must assess the result of our actions not the need for our expression. Will cutting off MFN actually hurt the cause of human rights in China? Will it undermine free enterprise, the very principles we wish to foster in the certain understanding that political rights inevitably follow economic and are economic rights are well grounded, ultimately cannot be contained. Will it mean our values will be excluded from the Chinese marketplace and our influence toward greater human rights in China wane? Will it hurt our business interests in south China and in Hong Kong?

Will it mean our influence toward working with China to contain North Korea's nuclear ambitions will be terminated? All of these are likely results if MFN is cut off entirely.

For these reasons I cannot and will not support the Solomon resolution, though clearly I share deeply the concern of those that do for the rights of the Chinese people.

For reasons I will explain in debate, I will support the Pelosi measure that, in my judgment raises none of the untoward results of Solomon and aims at the state sector of the Chinese economy and at slave-trade where MFN for China can have no justification whatever.

The SPEAKER pro tempore. All time has expired.

Pursuant to House Resolution 509 and sections 152 and 153 of the Trade Act of 1974, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

□ 1600

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the passage of the joint resolution.

The question was taken, and the Speaker pro tempore announced that the eyes appeared to have it.

Mr. SOLOMON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 75, nays 356, not voting 3, as follows:

[Roll No. 381]

YEAS—75

Abercrombie
Andrews (ME)
Applegate
Baker (CA)
Barton
Beilenson
Bentley
Bonior
Brown (OH)
Bunning
Burton
Collins (GA)
Collins (IL)
Collins (MI)
Cox
Dellums
Diaz-Balart
Dickey
Duncan
Durbin
Evans
Everett
Fields (LA)
Fish
Frank (MA)
Gilman
Gutierrez
Hall (OH)
Hamburg
Hefley
Hefner
Hilliard
Horn
Hunter
Inglis
Kaptur
Kasich
Klink
Lancaster
Lantos
Lewis (FL)
Lewis (GA)
Lewis (KY)
Markey
McKinney
Miller (CA)
Molinari
Nadler
Pallone
Pelosi
Quillen
Ridge
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Sanders
Schiff
Schroeder
Sensenbrenner
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spratt
Stark
Tauzin
Taylor (MS)
Traficant
Upton
Walker
Waters
Watt
Weldon
Wolf

NAYS—356

Ackerman
Allard
Andrews (NJ)
Andrews (TX)
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Bateman
Becerra
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Bryant
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Coble
Coleman
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Dunn
Edwards (CA)
Edwards (TX)
Ehlers
Emerson
Engel
English
Eshoo
Ewing
Farr
Fawell
Fazio
Fields (TX)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Herger
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Houghton
Hoyer
Huffington
Hughes
Hutchinson
Hutto
Hyde
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Lucas
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (FL)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Roberts
Roemer
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (OR)
Spence
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—3

Clyburn
Ravenel
Washington

□ 1621

Mr. SHARP and Mr. GEKAS changed their vote from "yea" to "nay."

Ms. MCKINNEY changed her vote from "nay" to "yea."

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

UNITED STATES-CHINA ACT OF 1994

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Pursuant to House Resolution 509 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4590.

□ 1622

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4590) to provide conditions for renewing nondiscriminatory—most-favored-nation—treatment for the People's Republic of China, with Mr. SHARP in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

The gentleman from Florida [Mr. GIBBONS] will be recognized for 30 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Chairman, I yield 15 minutes to the gentlewoman from California [Ms. PELOSI], the sponsor of this bill, and ask unanimous consent that she be allowed to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill of the gentlewoman from California [Ms. PELOSI] is well-intended, but it has some very serious defects in it. It would interrupt as much as one-half, or 17 billion dollars' worth of Chinese imports into the United States.

This would be a very expensive proposition for both China and the United States and would be tantamount to revoking China's MFN status.

Enactment of H.R. 4590 would set off a number of years of strained dialog between the Chinese and United States Governments. Our relations with China and with other countries in this region would suffer.

In addition, the Pelosi bill would prove difficult, if not impossible, to administer. Members have received a letter from the Commissioner of Customs, Mr. George Weise, indicating that enactment of H.R. 4590 would require investigation, over a very short period of time, of about 100,000 Chinese industries, 25,000 of which are in the textile industry alone. Commissioner Weise notes that he does not have the personnel who could speak Chinese, nor does he know whether he would be granted the access be Chinese plants necessary to conduct such investigations.

Commissioner Weise is doing an admirable job of administering a complex body of trade laws with already limited resources. Administering the Pelosi bill would draw Customs agents away from U.S. ports, thereby thinning an already overburdened Customs presence on the U.S. border.

I do not believe any of us would want to put a law on the books that we could not enforce or have no chance to enforce, but this certainly would qualify as such. I urge a "no" vote on H.R. 4590.

Mr. Chairman, I am going to yield the balance of my time to the gentleman from California [Mr. MATSUI],

the very fine chairman of the Subcommittee on Trade, and would ask unanimous consent that the gentleman control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The Chair now recognizes the distinguished gentleman from Texas [Mr. ARCHER].

Mr. ARCHER. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. BUNNING] and I ask unanimous consent that he be allowed to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ARCHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I strongly oppose H.R. 4590, a bill which would effectively deny most-favored-nation treatment to almost half of all goods imported into the United States from the People's Republic of China. H.R. 4590 directly undermines an extension of China MFN for another year. I recognize that serious political repression continues in China. But the method proposed in this bill would be a fatal blow to our objective of promoting human rights. This bill is completely unworkable, and dangerous to our long term strategic interests in the region.

China is one of the fastest growing markets for United States exports. At the same time, Americans of modest income benefit from many low cost Chinese imports.

The administration estimates that nearly half of all Chinese exports to the United States in 1993 fall within the "unqualified goods" category, targeted for sanctions by this bill. Mirror retaliation by the Chinese would be virtually certain upon enactment. The impact on the United States economy and job market would be too great—particularly for those United States businesses just establishing themselves in the Far East—and on the more than 150,000 estimated United States workers whose jobs depend on trade with China.

Second, with one fifth of the world's population, China is a major actor in important international efforts we undertake. China's cooperation on issues such as drug interdiction, refugees, environment, population control, and weapons proliferation is essential.

It would be impossible to enlist China's support in promoting our worldwide goals, and simultaneously implement the bill on the floor today. We cannot slap China in the face, and then turn around and expect that country's help in achieving success in other foreign policy initiatives.

Third, H.R. 4590 is an unworkable proposal. The difficulties in distinguishing between China's state-owned and private enterprises are immense. Of the 8 million manufacturing and agricultural concerns in China, most fall into a hybrid category where ownership arrangements are shared between the public and private sector.

The direction in this bill to identify firms receiving any state subsidies as "state-owned" is not practical.

The determination process would command an amount of Treasury Department resources that simply does not exist, rendering this legislation unenforceable.

Other means are available to pursue the human rights agenda. Multilateral efforts underway offer encouraging prospects for improvement. One possible forum for addressing these issues is the 15-nation Asia Pacific Economic Cooperation group [APEC], chaired this year by the United States. Multilateral efforts to press for improvements in human rights have yielded more worthwhile results than demands announced unilaterally.

The presence of the American business community in China also continues to advance the human rights cause. Trade is a two-way street, which takes our ideas along with our exports to China. I would challenge proponents of H.R. 4590 to show me a United States-owned firm in China that is not far out in front of its competitors in promoting health and safety standards, workers compensation, and nondiscrimination in the workplace.

The bottom line is this. We can accomplish more by continuing to develop positive United States-China relations. While China has not achieved an acceptable level of success in the human rights area, there is forward movement in China. We must keep the momentum going in that direction.

H.R. 4590 would be a step in the wrong direction—several steps backwards in fact. The United States must continue to exert influence in this area, while keeping in mind the wide range of United States economic and foreign policy interests in China.

I urge my colleagues to vote "no" on H.R. 4590.

□ 1630

Mr. Chairman, I reserve the balance of my time.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. HUTTO] and I am very pleased to have his support on this legislation.

Mr. HUTTO. Mr. Chairman, I want the United States to trade with China, but not at any price.

I do not believe it is right to have unrestricted trade with a nation that acts like communist China—a nation that treats its people the way it does. China has little regard for anything resembling human rights. The world outcry about Tiananmen Square apparently has fallen on deaf ears, and there has been little or no improvement. Their propaganda would lead one to believe there has been change but we all know that persecution still exists in China.

In approving most-favored-nation with China, I believe we should maintain some leverage. That is why I am supporting the Pelosi substitute which imposes sanctions on products produced by the People's Liberation Army and defense industrial companies. I believe it was wrong for President Reagan to agree to ship nuclear technology to China in the mideighties. It was a mistake because China is on the side of the bad guys. Do you think it is right to give favored status to a nation that sells missiles to Iran and others who pose such a threat to the world? They are even supporters of North Korea.

Yes, let us trade with China, but we must let this communist country know that they must shape up and that they cannot continue to trample the rights of the Chinese people.

Vote for the Pelosi amendment that will impose sanctions on products produced by the People's Liberation Army and defense industrial companies. Vote Pelosi.

Please, let us keep some leverage in trading with China.

Mr. BUNNING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the United States-China Act of 1994.

This bill offers us one last chance to do what is right—to show that our commitment to human rights and decency is more than a bag of empty words.

I vividly remember watching the tanks roll over Lady Freedom at Tiananmen Square—and the situation has not changed much.

Last year, our President drew a line in the sand and said that if the Chinese government did not clean up its act and start showing a little more respect for human rights, fair trade and fair dealing, we would cut off their preferred trading status with our country.

Now, a year later, China is still one of the worst violators of human rights in the world. Religious persecution is still widespread. Beijing still persists in its methodical, sustained assault on the native culture of Tibet.

And China still continues to maintain a vast array of trade barriers to prevent our goods from competing in their markets.

And through it all, China keeps using the profits from its trade with us to finance a dangerous and de-stabilizing military buildup of its own.

Last year, the challenge was issued. And since then, China has shown not one ounce of improved respect for human rights or demonstrated one iota of newfound respect for human decency. And the trade goes on.

Folks, it is time to put up or shut up.

The President of the United States has changed his mind and backed away

from his own challenge, but the challenge has already been issued. We cannot take it back now.

If we do nothing at this point; if we continue granting unconditional, preferential trade treatment to China, our credibility as a world leader and as a defender of human rights will be devastated.

If we do nothing now, it will only prove that our national principles are for sale. It will prove that we stand firmly for fair trade and human rights only when it does not get in the way of business and profits.

If we do nothing today, we will be saying it's OK to get tough with Cuba—it is a small country—or Afghanistan—or Laos or Montenegro. It does not cost us much to stand on principle with them. They are little and their potential trade is not significant.

The nine countries that do not receive MFN status have a combined population of 145 million. And we have stood by our commitment to them.

But if we do nothing today, we will be saying we do not stand on principle when it comes to the big boys—like China—because it costs too much.

Yes, I understand that China is a huge potential market for United States goods and services. And I can understand why corporate America and the business community do not want to do anything to rock the boat.

But there are some principles that are worth rocking the boat for, even if it costs us trade opportunities and profits over the short term.

Sometimes you just have to stand up for what is right. And it is not right for this Nation to continue rewarding behavior that is immoral and abhorrent to civilized people everywhere.

This bill is the right thing to do. It goes to the heart of the problem. It does not punish the Chinese people or Chinese businesses for conduct or actions their government has committed. Our gripe is not with the Chinese people.

This bill strikes down MFN status only for goods produced by the army or by state-operated businesses.

It would affect only one-sixth of China's exports to this country—that portion of their trade that is used to finance the growth of their army and strengthen the police state.

You do not fight repression of feeding the dragon. This bill might not stop repression, but it would stop U.S. trade from helping buy the tanks to fuel that repression.

And, more importantly, by passing this bill today, we could show China and the world that when we make a commitment to human rights, we stand by it even if it costs us a little trade and few profits.

I would have preferred to cut off MFN status for China altogether as proposed by the gentleman from New York.

However, since that effort failed, it is absolutely imperative that we approve this resolution.

This bill is our last chance to prove that we do stand by our commitments to human rights and simple decency. It is the least we can do. It is something we have to do.

I urge my colleagues to support the measure.

□ 1640

Mr. Chairman, I reserve the balance of my time.

Mr. PAYNE of Virginia. Mr. Chairman, I yield 2½ minutes to our colleague, the gentleman from New York [Mr. ACKERMAN], the distinguished chairman of the Subcommittee on Asia and the Pacific of the Committee on Foreign Affairs.

Mr. ACKERMAN. Mr. Chairman, at first glance, the Pelosi measure seems like an appropriate way to balance our concern with human rights in the PRC without revoking MFN—a step which many of us, myself included, believe would do more harm than good.

Ms. PELOSI's alternative seems appealing because it tries to punish the state sector while leaving private enterprise in China untouched. However, this approach is based on a drastic oversimplification of the complex Chinese economy, and it is absolutely unenforceable.

The United States Customs Service simply does not have the ability to distinguish between state-owned, or military, or private enterprises in China.

The three sectors are inextricably linked in a complex web of joint ventures, subsidiary relationships, and other connections.

The Pelosi bill, therefore, amounts to little more than political symbolism.

If there were no negative consequences to this measure, then such symbolism might be appropriate. But that is not the case, imposing sanctions on China would invite retaliation-in-kind against nearly $8.8 billion in exports and approximately 180,000 United States jobs.

By threatening China overtly, we play into the hands of the hard-liners there, by bolstering their claims that the West wants to push China around, and increases the leadership's resolve to resist what they call United States imperialism. No Chinese leader could survive for a day if they were to be viewed as kowtowing to United States pressure.

Second, by reducing trade and investment, this bill undermines the development of a free market economy in China.

Those of us who watch China closely know that the greatest economic and political liberalization in China has been in the southeast. The Guangdong and Fujian provinces—the bedrock of capitalism in China—are precisely the regions which would be hit by these sanctions.

President Clinton's MFN decision recognizes that human rights can only thrive if buttressed by a firm foundation of democratic ideas, ideals, and principles.

The most effective way to encourage these ideals is the free market economy. We have seen time and again within a capitalist system, people are allowed to think, create, and to enter into agreements and contracts. And by being able to benefit, personally, from the work product of their hands and minds, the entrepreneurs and the workers in a capitalist system are afforded a stake in the system.

Mr. Speaker, all over the world democracy is following designer jeans. Love of freedom quickly takes root in the fertile soil of open economic systems. Let us not poison that soil that is proven to nurture human rights.

This bill is bad policy. Mr. Speaker, I urge all of our colleagues to vote for the Hamilton substitute and against the Pelosi measure.

Mr. ARCHER. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to the Pelosi amendment and in favor of the Hamilton proposal.

Mr. Chairman, I rise in opposition to the Solomon and Pelosi legislation that would significantly affect our trading relationship with China. I will support Chairman HAMILTON's measure to renew China's most-favored-nation trade status.

I continue to be deeply concerned about China's record on human rights. Clearly, there exists much room for improvement. However, denial of MFN status to China is not the best avenue to gain this human rights improvement.

Over the last few years I have become convinced that direct engagement with China through a vigorous bilateral trade relationship is the most effective means to gain progress in this area. Strengthening the fledging free enterprise system in China will only promote greater respect for human rights, enhance United States-Chinese cooperation on other critical matters including national security issues.

China represents a dynamic, expanding market for United States exports. Clearly, growth in U.S. exports has led our recent and current economic recovery and expansion, creating thousands of high-paying, high-value American jobs.

Denial of MFN status to China will damage our economy and only serve the interests of our international trade competitors.

We have here before us two attempts to reverse the President's decision or place conditions on extension of MFN. I will oppose such efforts and seek to promote improvement in China's human rights record through other avenues.

Mr. Chairman, I urge a "yea" vote on Hamilton.

Mr. ARCHER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DREIER], a respected member of the Committee on Rules.

Mr. DREIER. Mr. Chairman, I thank my dear friend, the ranking Republican member of the Committee on Ways and Means, for yielding me this time.

Mr. Chairman, as I said when I stood here earlier, I sincerely believe that the most inhumane, immoral thing we could do for the people we are hoping to help the most would be to deny most-favored-nation trading status to the People's Republic of China. Make no mistake about it, that is exactly what the Pelosi measure does.

Mr. Chairman, every shred of empirical evidence that we have demonstrates that over the last 15 years, as economic liberalization and exposure to the United States has increased in China, their human rights situation has improved. Things are not perfect, we all recognize that. Terrible repression exists. However, consider the progress that has been made. As I said earlier, for example, it has come to light that up to 80 million Chinese people, 80 million people, were killed during the Great Leap Forward and Cultural Revolution of the Mao era. Nobody can read the names of those 80 million people into the RECORD to illustrate what is wrong with a China cut off from the outside world. Nevertheless, we should remember them and heed their warning.

Despite the Tiananmen Square massacre and the ensuing repression, there has been great progress in China. Punishing the Chinese people with economic sanctions that push them back toward the dark days of a closed China would be a grave moral injustice.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Georgia [Mr. LEWIS], the deputy majority whip.

Mr. LEWIS of Georgia. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, I am very proud to be an original cosponsor of the Pelosi amendment. This is a good and important amendment. It does the right thing.

Mr. Chairman, we should not give unconditional most-favored-nation status to a country like China. Nothing has changed since Tiananmen Square.

We should not reward China for doing nothing, for not moving toward democracy as it has promised to do. Human rights is an important foreign policy objective.

The abuses in China and Tibet continue. In fact, they are growing. Innocent students, monks, and nuns are forced to work in slave labor camps. People are detained for their religious, cultural, and political beliefs. People don't have the right to protest for what is right. There is no such thing as freedom of assembly. There is no freedom of speech, no freedom of the press, no freedom at all. Things have not changed.

I believe we should use all nonviolent tools at our disposal to ensure and protect human rights. Trade is one of our most powerful and mighty tools.

Do not misunderstand me. I believe in trade. But, I do not believe in trade at any cost. We should not, we must not, trade away our commitment to human rights and freedom. I, for one, am not willing to pay that price.

We all live on this planet together. What happens or fails to happen in China happens to us all.

The Hamilton amendment is a fig leaf. It covers nothing. It does nothing. We must do more. We can do more. I urge my colleagues to vote no on the Hamilton amendment. Send a message to China that things must change—support the Pelosi amendment.

□ 1650

Mr. BUNNING. Mr. Chairman, I yield 3½ minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, in a Washington Post op-ed article on March 22, Secretary of State Warren Christopher wrote "President Clinton forged the first concensus—a consensus of conscience—on American policy toward China. The core of our policy, the President said, would be "a resolute insistance" on overall significant progress on human rights if MFN for China was to be renewed."

Many of us would have truly admired the President's consensus of conscience had he not gone and done the unconscionable. He betrayed all those who took his word—and words—seriously.

It is a sad day when the President of the United States betrays those who have put their lives on the line for human rights.

Rather than bag MFN pursuant to his own explicit human rights conditions which were not met, Bill Clinton bagged the conditions. He threw in the towel—and said, "No mas."

I remember the President's stirring words—on May 28, 1993, as he said, "It is time that a unified American policy recognizes both the value of China and the value of America. Starting today the United States will speak with one voice on China policy. We no longer have an executive branch policy and a congressional policy. We have an American policy."

What a difference a year makes.

Faced with the fact that China's record on human rights has actually worsened during the past 12 months, Mr. Clinton has now abandoned the so-called "American policy" and values he so proudly boasted of.

I have traveled to China on two separate human rights trips, Mr. Speaker, most recently in January. In addition to meetings with top Chinese officials, we met with numerous dissidents and church people.

Mr. Chairman, Bishop Su who said Mass for our delegation was previously incarcerated for 15 years chiefly for his faith—was arrested and held for 9 days, for simply meeting with me. Had I met with Bishop Su to talk Nike shoe sales—both he and I would have gotten the red carpet. Official government religious intolerance is on the rise like a tidal wave—believers are being arrested, jailed, tortured, and raped.

Not only is it illegal to teach anyone under the age of 18 about God, but two new decrees issued in January make it a crime to assemble, to pray, and worship God—even in your own home. The Government has begun a new crackdown on proselytizing by foreign missionaries and prohibits importing of religious goods and publications. In February of this year, an American missionary, Reverend Balcombe was arrested for preaching the word of God.

The Chinese Government continues to arrest and hold in prison political and religious dissidents. As a matter of fact, repression against believers in God has significantly worsened. Yes, a few well known dissidents have been released, including Wang Juntao. But according to Human Rights Watch/Asia the number of known releases of political or religious prisoners since the Executive order was issued totals twenty-five. The number of new arrests of peaceful political or religious activists since the Executive order was issued is well over 100.

Mr. Chairman, our 1993 trade deficit with China was approximately $23 billion. The projected deficit in 1994 in $30 billion. And as we have seen demonstrated by Harry Wu—part of that deficit is built on the backs of millions of men and women detained in prison labor camps. Access to these prisons by international human rights organizations is prohibited. The MOU, renegotiated earlier this year, allows for access to some prisons by U.S. monitors 60 days after a request is made. And yet, even then, not the entire prison may be inspected. Harry Wu's remarkable research, done at great risk to his own life, provides us with the only accurate look into China's prison labor gulag. And it is appalling.

Finally, China continues its bizarre antiwoman, antichild policy of permitting only one child per couple—a policy that relies on forced abortion and forced sterilization to achieve its results.

In China today, bearing a child without explicit government permission results in a coerced abortion. Those women lucky enough to escape this repressive policy have illegal children and are subject to heavy fines, job demotion, and harassment of many types.

Imagine, living in a land where brothers and sisters are illegal. No government has the right to tell families they cannot nurture and protect their own children.

On two occasions, Congress has condemned China's forced abortion policy calling these heinous acts, crimes against humanity.

Now we just look the other way. The Clinton administration continues to break the Kemp-Kasten law against coercion and has or is in the process of providing over $100 million to the UN Population Fund, a group that was denied funding because of its support and comanagment of China's brutal policy by the Bush and Reagan administrations.

And MFN, if Mr. Clinton gets his way will be absolutely delinked from human rights abuse—including these crimes against women and children.

I urge support for the United States-China Act of 1994 as the very least we can do to protect against the widespread violations of human rights by the government of the PRC.

H.R. 4590, would revoke MFN status for the products produced, manufactured, or exported by the People's Liberation Army, Chinese defense industrial trading companies and certain State-owned companies.

This exceedingly modest action would affect about $5 billion of China's $30 billion in exports.

Congress should not join President Clinton in his wholesale capitulation to the dictatorship in Beijing.

Mr. MATSUI. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. KOPETSKI].

Mr. KOPETSKI. Mr. Chairman, I rise in strong opposition to the original text of H.R. 4590. I will support the Hamilton substitute and I support fully President Clinton's courageous decision to move United States-China relations away from the annual most-favored-nation [MFN] status confrontation.

America is second to none in guaranteeing basic human rights to its own citizens and fostering human rights throughout the world. Americans will always cherish this virtue and never abandon this noble mission.

Several weeks ago, I had the privilege of participating in the House's third Oxford-style debate addressing the linkage of United States human rights and trade policies. Today's debate provides the opportunity to revisit the debate and two fundamental questions for American policy makers. First, should America use its trade policy to reflect our anger with a given nation for human rights abuses against its citizens? My response is that we should not. For it is a policy which is doomed to failure, including in China.

Second, should we use our trade policy as a means to foster human rights throughout the world? I say yes. For I believe that basic human rights are best improved by a policy of open trade. In trade, not only are goods exchanged, but so, too, are attitudes, ideas, the rule of law, and the importance of procedural rights.

I visited Czechoslovakia in the fall of 1989. There, a border guard, in the dark of night, told me that exposure to the western world, to different standards of living and individual freedoms—much of which was learned through tourists, trade, and television—had as much to do with their quest for freedom as the innate resolve of all individuals to be free.

I have many reasons for opposing H.R. 4590. Today, I want to focus my remarks on American jobs—for it is the American worker who stands to lose the most with passage of this legislation. Already some 180,000 American jobs are tied to China exports. These are high paying jobs, often union jobs, in aerospace, industrial machinery, computers, energy and electronics.

Proponents of this legislation argue that China trade is a job loser for the United States. This assertion is inaccurate and misleading. Yes, the United States runs a trade deficit with China. However, look at the goods coming into the United States from China—predominantly toys, apparel, and other light manufactured goods. Regrettably, these jobs left American soil years ago. Passage of legislation to revoke or condition China's most-favored-nation status will not bring these jobs back to American soil. Rather, it will drive them to other third world developing nations with lower wages and in some cases, equally questionable human rights practices.

America's economic future is high skill and high wage jobs—exactly the type of jobs created by United States exports to China.

China is the largest growth market for United States exports. In 1993, $9 billion in United States exports went to China, a figure that has grown 17 percent since 1992. China intends to spend $100 billion per year on infrastructure needs well into the next century. This figure includes industries where U.S. technology is among the best in the world. These are the jobs of the future; high wage and high skill. These are the jobs Secretary of Labor Bob Reich talks about for America. These are the jobs Members of Congress pontificate about creating each and every day.

In telecommunications, China intends to spend $20–$35 billion through the year 2000. China's telecommunications spending will account for 10–20 percent of the global market.

In transportation, China plans to spend $40–$50 billion through the year 2000. China will build airports, ports, subway systems, rail and highway networks with or without United States participation and competition for contracts.

In other sectors like aviation, energy, environmental and public works, consulting services, agriculture and industrial machinery, China intends to spend billions of dollars in the international marketplace. The United States must compete and win in this market. The U.S. industrial base will lose global competitiveness and thousands of U.S. jobs will be threatened, or worse yet, not even created if the United States pursues the course prescribed in H.R. 4590.

Let me share with the House two Oregon examples of companies heavily involved in Oregon's economy to demonstrate the impact of today's decision on American jobs. First, the Boeing Company, which employs nearly 2,000 workers just outside my congressional district. Boeing estimates the size of the Chinese aerospace market at between $25 and $35 billion between now and the year 2010. Annually in Oregon, the Boeing Company spends more than $100 million on subcontractors—small manufacturing firms, accountants, bankers, cleaning services, and environmental consultants to name a few. All of these subcontractors stand to be negatively impacted by legislation to condition or revoke MFN.

The second example is the NIKE Corp. NIKE employs some 5,000 people in Oregon. Additionally, in 1993, NIKE subcontracted with Oregon firms for more than $120 million. Again, these firms—union construction contractors, landscapers, caterers, engineering, and law firms, advertising agencies and security services—all stand to lose economically were the United States to condition or revoke MFN to China.

Today's debate, like the Oxford style debate, is not about whether human rights are important. They are. The question is: What is the best means to achieve human rights progress in China and other nations?

The Washington Post chronicled recently the gruesome Mao Zedong era in China. We read that, from 1949–1976, as many as 80 million Chinese died by the repressive policies during the eras known as the Great Leap Forward and the Cultural Revolution.

A China, or any nation, that is engaged in the world community could not hide 80 million deaths. Repression and mass slaughter are only possible when a nation isolates itself from the world. Sunshine is the best disinfectant for repressive governments. And that is what trade brings.

It is a new world out there, the Iron Curtain is drawn open, and international companies are chipping away at the Iron Rice Bowl in China. We must engage these closed societies, drawing them out even more into the world community. But let's not kid ourselves, nations like Russia and China are still in transition. There is every possibility that they could return to the ways of the recent past, and

the Chinese people, for one, live in fear of this. The Washington Post story quoted a farmer, who said: "Who knows what could happen? If there is a change of policy at the top, who knows?"

Trade brings a better standard of living, so children do not go to bed hungry, so families have a roof over their heads. And trade also brings about the exchange of ideas. Whether principles of law, and a judicial system; or the exchange of students, and scientists; or music, books, and movies. As innocuous as it sounds, art is saturated with cultural messages, and floods over closed societies in a wash of Western values and individual freedoms.

Vaclav Havel once said: "Communism was not defeated by military force, but by life, by the human spirit, by conscience, by the resistance of being and man to manipulation." Havel is right. We all have a duty, even a moral obligation, to pursue the path of trade and diplomatic engagement to produce healthier, more just societies on Earth.

Mr. ARCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. LIGHTFOOT].

Mr. LIGHTFOOT. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to H.R. 4590 and in support of the Hamilton amendment.

Writing as a columnist in Time magazine in 1992, now Deputy Secretary of State Strobe Talbott concluded an analysis of Congress' last debate on China by saying:

> Politicians are quick to embrace simple positions on complex issues that make them feel good and look good—but in fact make a bad situation worse.

Unfortunately, 2 years later, we find Secretary Talbott's opinion of Congress still justified. While waiting to testify before the Rules Committee last Friday, I heard a Member in favor of H.R. 4590 say: "This legislation sends China a very simple message."

We cannot send China a simple message because we are dealing with a complex problem. I share the frustration of this House with China's abusive human rights practices. But you cannot act solely on the issue of human rights and not expect the other issues that divide our two countries to be unaffected.

This legislation is the worst possible reflection on Congress because it is neither enforceable nor fiscally responsible.

As the ranking Republican on the Treasury, Postal Appropriations Subcommittee, it is my job to make sure the Customs Service has enough funds to perform its mission. Customs Commissioner Weise has reviewed this legislation and concluded Customs could not enforce this measure. And I can tell you that our appropriations subcommittee does not have the funds to purchase the equipment and hire the thousands of people necessary to make it enforceable.

We can do better and we have. The Hamilton amendment is a responsible, realistic approach to the many issues in Sino/American relations. It builds on President Clinton's May 26 decision to extend MFN and delink it from human rights.

The Hamilton amendment is not a quick fix. But this House must move beyond what has become annual brinkmanship with China and set a new course.

Ms. PELOSI. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. HOYER], chairman of the Democratic Caucus, and a leader internationally in promoting human rights in his leadership role with the Helsinki Commission.

□ 1700

Mr. HOYER. I thank the gentlewoman for yielding the time, and I congratulate her for her leadership.

Mr. Chairman, I rise today in support of the Pelosi substitute which denies most-favored-nation status for products produced, manufactured or exported by the People's Liberation Army of China and state-owned enterprises in China.

The gentleman who preceded me is in fact the ranking member, and he is a good member of the Treasury-Postal Subcommittee which I chair. Very frankly, I think not only can they, but I think they will enforce this if this Congress passes and the President signs this bill.

I want to thank the gentlewoman for granting me the opportunity to speak.

Last year when the President extended MFN trade status to China for 1 year, I supported him. However, implicit in my support was the understanding that China's human rights practices would be subject to serious scrutiny and our trading relations would be reviewed.

I did not believe it was pretend. I did not believe I had my fingers crossed. I did not believe we were not serious.

State Department and human rights groups' reports and findings have shown that China has continued to openly violate the human rights of its citizens. No one on this floor denies that. As the country which is the leading proponent of human rights in the world, we are proud of that. It makes us distinct in the world community. This is not just a matter of the United States imposing its standards, but upholding its principles.

The issue which is so crucial to understand is that these are basic notions of human rights and fundamental freedoms which the Chinese Government has itself signed onto in the universal declaration of human rights.

This is not imposing our values. This is expecting the values articulated to be theirs by China itself.

It is important to remember the events of 1989, because this is not ancient history. The people responsible for the Tiananmen Square massacre are still in power in 1994.

Five years after the occurrence of this tragedy, China has no freedom of the press, no freedom of assembly, no freedom of speech, no right to emigrate, no freedom of religion, and no representative government.

My friend, the gentleman from Oregon [Mr. KOPETSKI], spoke of Vaclav Havel who came to this floor and spoke to us of the values of Jefferson and the values of our Constitution, and he stated that it was the American public, the American Congress and the principles for which we stand that moved the East to freedom in Europe. And it was that same nation that was under a trade sanction called Jackson-Vanik, and Jackson-Vanik worked. It did not work overnight, but it worked.

It is also important to remember that China's trade deficit with the United States for last year climbed to $23 billion dollars—second only to Japan.

Moreover, almost 40 percent of China's exports are to the United States while China receives less than 2 percent of our exports.

As this Nation has learned throughout its history, we develop our strongest alliances, garner our greatest respect, and safeguard lasting security when we stand firmly and unequivocally for the principles upon which our Nation was founded. To the extent that our actions must affect China, let it not be at the expense of individual freedoms and human dignity. Mr. Speaker, the Pelosi substitute will provide us with that opportunity, and I urge my colleagues to support it.

Let us pass the Pelosi bill. Let us be serious when we commit ourselves to human rights.

Mr. BUNNING. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, I rise in very strong support of the Pelosi bill and in opposition to the Hamilton alternative.

Mr. Chairman, adopting the Pelosi bill to revoke MFN on products of the Chinese military is not only the moral thing to do, but it is absolutely essential for our national security.

The Chinese People's Liberation Army is growing fat and ever-more dangerous, and it is financed by the trade surplus that we give China with our annual extensions of MFN.

As I stated earlier, last year's monstrous $23 billion trade deficit with China is now funding a massive 22-percent increase in Chinese military spending.

So, Mr. Chairman, if there ever was an example of Lenin's prediction that we would sell the Communists the rope with which they will hang us, this is it.

Mr. Chairman, I would like to submit for the RECORD an article by William Triplett that appeared in the Washington Post and which

clearly explains why it is so important to pass the Pelosi bill.

Mr. Triplett estimates that when profits earned by front companies of the Chinese military are added in, actual Chinese military expenditures are 3 times the official numbers, or close to $100 billion annually.

Mr. Chairman, this is 2½ times that of Japan.

And Chinese military spending has doubled since 1989.

And what is China buying with all of this? Some of the best military hardware available:

Su–27 Flankers, a top Russian fighter.

The Russian T–80U tank, comparable to our Abrams.

Guided missile technology, solid-fuel rocket boosters, uranium enrichment technology and air-to-air refueling capabilities.

According to Mr. Triplett, it is clear that China is striving to create a strategic force of modern, highly accurate, mobile ICBM's.

And according to former Ambassador James Lilley, China's buildup clearly reflects a desire to develop the ability to project power beyond her own borders.

Mr. Chairman, it is simply against our own interests to fund this drive with favorable trade conditions for front companies of China's military machine.

Many analysts believe that China could be the foremost threat to peace and stability in the 21st century.

Anything can happen, but the Pelosi bill would be a prudent step toward ensuring that this nightmare scenario does not occur.

I urge my colleagues to vote "yes" for Pelosi.

Mr. BUNNING. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Chairman, I rise in opposition to the Pelosi amendment.

Mr. Chairman, I rise to suggest that Ms. PELOSI's concerns are well-founded but not well-advanced by the legislative prescription before us today.

The questions advocates of a conditional MFN approach must examine is one of means, not ends, whether a policy premised on self-righteous indignation advances or undercuts a just cause.

What is at issue is less a question of indignation than of judgment. If history is a guide, almost every effort to coerce China has not only failed to produce greater political openness but accentuated unpredictable xenophobic nationalism. On the other hand, almost every U.S. step toward civil dialog has been met with a liberalized response.

Because denial of MFN would be such a profoundly self-destructive act, Ms. PELOSI has suggested fine tuning the MFN-human rights linkage. The trouble is that as preferably restrained as her new approach is, it is more effectively advanced by the Executive Branch than legislative fiat.

But modifying MFN is a nonstarter: It will threaten to begin a new cold war in Sino-American relations; undercut the prospect of Sino-American cooperation on North Korea and other important foreign policy issues; produce no demonstrable improvement in Chinese human rights behavior; and prove difficult if not impossible to enforce.

My own view is that when confronted with the choice of high walls versus open doors in Sino-American relations, open doors are preferable.

By way of perspective, several decades ago a group of French journalists interviewed the late Chou En-lai and asked what he thought the historical significance was of the French Revolution, to which he responded: "It is too early to tell."

It strikes me that it may be too early to tell the exact ramifications of the profound socioeconomic changes occurring in China. But those ramifications are of historic dimensions. They involve not only the near-total delegitimatizing of Marxist philosophy but a weakening of party as well as state authority and—despite continuing serious human rights abuses—far greater personal freedom for most Chinese than any time in Chinese history.

These changes were not the result of external pressures, but external examples revealed by China's policy of reform and opening to the outside world.

For those who believe—as I do—that free economics drives free politics, the most aggressive human rights policy we can pursue is to maintain free and fair trade with China. Can it possibly be rational to pursue a misguided policy that, through miscalculation or design, undercuts the stepchildren of Adam Smith and allows a tightening of the reins of political power by the discredited disciples of Marx, Lenin, and Mao?

The administration's Executive order approach to China-MFN set up either Beijing or Washington for enormous international embarrassment. In this case, Washington was ultimately the party that flinched. Despite the administration's attempt to save face, its decision not to revoke was a flinch, but a flinch from a mis-designed policy is far better than plowing ahead with a demonstrably counterproductive approach.

This administration and this Congress should stop playing games with MFN. It is time to stop toying with the linchpin of Sino-American relations and make decisions that advance the national interest of the American people as well as the humanitarian well-being of the Chinese people.

The United States would be better advised to develop a bipartisan and bi-institutional approach that maintains the open door to China and with it a relationship which could be key to peace, stability, and prosperity in the 21st century than continue to play political brinksmanship on the House floor.

Mr. BUNNING. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I am pleased to rise in strong support of H.R. 4590, legislation to revoke most-favored-nation trading status for products produced by the Peoples Liberation Army, Chinese Government defense trading companies, and State-owned enterprises.

I commend the gentlewoman from California [Ms. PELOSI] for her leadership and tireless efforts on behalf of democracy in China. She has earned herself a place as a recognized champion for freedom and a voice for those who suffer under tyranny.

It is a great honor to serve with her.

At Tiananmen Square 5 years ago, the Chinese military demonstrated to the world that it is an antidemocratic force of repression and the ultimate guarantor of Communist rule over the people of China.

The Chinese military and related security agencies run a vast gulag with some 16 to 20 million prisoners who serve as slave laborers for its profit making ventures.

China faces no external threat to its national security, but its military is engaged in a massive buildup of the most modern conventional and strategic forces threatening peace and security in Asia and the Pacific rim.

Chinese military companies are helping to finance that nation's massive military buildup with arms sales to the Middle East and commercial product sales to the United States.

It is the only military force in the world targeting the United States with nuclear weapons and China is the only nation still testing nuclear weapons.

The Chinese military is the occupying force in Tibet, a country the size of Western Europe and the only nation in the world since the end of the cold war to still have a foreign Communist force within its borders.

According to some of our senior Federal officials, Chinese military and civilian intelligence are the most active intelligence services in the United States collecting American technology.

Chinese intelligence services are also extremely aggressive and active in suppressing the Chinese people both at home and abroad here in this country.

The Chinese intelligence services are also engaged wholeheartedly in commercial cover ventures in the United States in order to be economically self-sustaining.

Are we to believe that it is logical to continue United States financing the Communist Chinese military machine, the same one run by the very same people who fought us in Korea and Vietnam and who conquered Tibet—does that makes good sense?

Do we truly believe that our national security will not be affected by directly subsidizing the People's Liberation Army?

The answer of course is obvious. Accordingly, I urge my colleagues to support the gentlelady's resolution to revoke MFN for China's military and state run enterprises.

Mr. MATSUI. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. MCDERMOTT].

Mr. MCDERMOTT. Mr. Chairman, 15 years ago President Carter extended most-favored-nation trading status to China. President Carter's decision was

the culmination of a long period of quiet diplomacy with the Chinese that had been initiated by the late President Nixon in 1969. Today we are here to debate whether we should continue to embrace or reverse over two decades of successful American diplomacy toward China by removing or limiting China's trading status with the United States.

When President Nixon decided to initiate 2 years of top secret negotiations with the Chinese in 1969, contacts between the United States and China basically did not exist. At that turbulent time in our world history, the United States was bogged down in Vietnam, the Cultural Revolution in China was in one of its most anti-democratic phases, China and the Soviet Union were engaged in terrible border clashes and war between the two countries was seen by many as inevitable. China, with one quarter of the world's population, was isolated in world affairs.

The tactical advantages of a diplomatic initiative toward Beijing were obvious to President Nixon and Secretary Kissinger, despite the fact that things in China were anything but stable or democratic. Nixon and Kissinger were able to see past China's internal chaos to the danger that an isolated, xenophobic China posed to the world.

Relations between the United States and China in the last 25 years have rarely been untroubled. United States-Sino relations have continued to expand despite numerous challenging events: American arms sales to Taiwan; disruptive surges of Chinese exports to the United States; the Soviet invasion of Afghanistan; the Cambodian peace process; Chinese nuclear proliferation policies and the tragedy in Tiananmen Square.

Despite all of the challenges to United States-Sino relations, it was not until 1989 that legislative efforts to condition renewal of most-favored nation status for China were linked to improvements in human rights in China. In 1989, Members in this body decided that we should move from diplomacy to punishment and that the bipartisan approach of five former Presidents was wrong.

Although what happened at Tiananmen was deplorable and the Chinese leadership deserved the widespread condemnation that it received, it is time to declare a statute of limitations on Tiananmen Square. If we want a safer, more stable international community, we cannot allow one incident to determine our policy toward China for the next 25 years.

The realities of the current situation in China and in the international community are far different and more complex than the unforgettable image of a lone man standing in front of a tank that CNN has indelibly printed on all of our minds.

Since Tiananmen, the Chinese economy has grown at approximately 10 percent a year and the market-oriented reforms started in 1980 have continued. United States trade with China has approximately doubled, to $40 billion in 1993, with China's total foreign trade reaching $200 billion.

Along with the People's Liberation Army are the armies of Avon ladies in China. Along with state censorship are MTV and CNN brought into China by satellite dishes, often installed and sold by the PLA.

During the last 15 years, as Chinese economic reforms have progressed, the quality of life of the average Chinese has vastly improved. The continuing market-oriented reforms have dramatically changed the relationship of individuals to the state and reduced their reliance on Beijing for the basic necessities of life.

Since 1978, changes which have taken place which affect average Chinese citizens include: a great expansion of internal travel, choice of residence, choice of job, shorter workweeks, higher paying jobs, and most importantly, access to information.

Twenty years ago, the Chinese government had total control over what its people could know about the outside world. Today, there are now seven times as many newspapers and magazines in China as in 1978, and one in five people have access to a TV versus 1 in 300 in 1978. Over 100 million Chinese have access to satellite dishes bringing in MTV, CNN and other western broadcasts.

The past 16 years have been China's most sustained period of peace and stability in the past 150 years. From 1978 to the present is the only period of time since the opium war in 1839 that China has experienced a 15-year period without foreign invasion, civil war or widespread chaos.

China's leaders have placed a high priority upon maintaining stability in China and avoiding at all costs a return to chaos and foreign domination.

It must be remembered that China has over four times the population of the United States but less than 60 percent of America's tillable land. China's leaders face much different development choices than those faced by America's leaders.

China must make a smooth transition from an economy based on agriculture to an economy centered on manufacturing. China needs continued strong economic growth in order to be able to provide the basic necessities for its ever-growing population. In order to prevent China from sliding back toward chaos, the world needs to participate in China's economic growth and development. Removing or limiting MFN for China would be the first step in China's slide backwards.

Prior to 1989, there was little external pressure on China to improve human rights. The positive changes which have occurred in China over the last 15 years have occurred as a direct result of China's opening to foreign trade, investment and ideas from around the world. China's leaders were willing to allow the influx of foreign ideas in order to allow China to become a strong, prosperous world power.

However, China's way is not our way. We urge China to move more deliberately toward true democracy, but we must understand that a chaotic China could destabilize the world economy and vastly complicate international stability. We must act responsibly today. I urge Members to vote against any attempts to remove or limit MFN for China.

□ 1710

Mr. CRANE. Mr. Chairman, I yield 1 minute to our distinguished colleague, the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Chairman and colleagues, if I thought for one moment that extending most-favored-nation treatment to China would end our country's responsibility and involvement in the human rights struggle in that vast country, then I would support the Pelosi amendment. But I cannot, because I believe forcefully that the total involvement of the regional alliances continuing pressure on China, the United Nations, the Helsinki accords, the one-on-one contacts that America has with China, and all of the other private enterprises that are continuing their good pressure on china will mount in intensity, not end with granting the most-favored-nation status, and so we would have then not only the ongoing contact but that great tool of diplomacy, free trade, massive trade, Americans streaming into the mainland of China, talking with other merchants, talking with the people. That is the way to bring about human rights change and continue our American involvement.

Mr. CRANE. Mr. Chairman, I yield 1 minute to our distinguished colleague, the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Chairman, I keep asking myself: Why are we here today? Everybody knows the Solomon amendment was soundly defeated. The Pelosi proposal, even if it were to pass, is going nowhere.

If this were a debating society, I would say wonderful, we can stand here and debate this issue for 6 hours. But the fact is that I would think the House would have something else to do in trying to pass substantive legislation.

The Clinton administration, through some very difficult efforts, finally came to the right conclusion, that is, delinking human rights with our efforts on MFN. That was the right decision. The Clinton administration got it right.

Here we are several weeks later, still debating an issue whose time has clearly passed. The decision has been made

by the administration, I think we should follow it.

Economic growth is important for political change. I have been to China twice, most recently last December. We had an opportunity to look at the changes being made there, and I am impressed with what we can do in the future there with our trade.

Let us defeat the Pelosi proposal. Let us pass the Hamilton proposal and get on with the business of the Nation.

Ms. PELOSI. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Chairman, I rise in strong support of the Pelosi substitute.

Mr. Chairman, I stand today as a strong supporter of the Pelosi substitute. This proposal speaks to our longstanding linkage of favorable trade access to this Nation and respect for human rights. Breaking this link would be giving up something that is fundamental to this Nation—something that makes us unique and successful in the world. We would be sacrificing our principles for short-term economic gains.

Tying trade to human rights has worked. A generation of Soviet emigres prospering in new homes around the world; the piece of the Berlin Wall I keep in my office; and the historic elections and new-found freedoms celebrated in South Africa this year, all speak to the success of our Nation taking a stand. Using access to American markets has been a crucial tool to effect change abroad through peaceful means.

There is a reason protestors in Tianamen Square carried a home-made statue of liberty. From our founding days the United States of America has been a beacon of freedom. Our Nation has held out hope to freedom-loving people throughout the world. Time and again Americans have fought and died to protect freedom in this Nation and around the world.

We should be proud of our leadership in human rights and we should support the Pelosi substitute.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HORN].

Mr. BUNNING. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, I rise today to stress that this debate on most-favored-nation status for China is not over whether we want export opportunities for our workers and companies. We obviously do. However, there is an important principle at stake. By our vote today, we must clearly and decisively demonstrate that human rights matter. Commercial considerations must not be the sole factor determining American foreign policy.

Who among us is not deeply suspicious of the present Chinese Government, especially since the tragic events in Tiananmen Square in 1989? This action is not targeted at the Chinese people; it is targeted at the trade activities of a repressive government.

In 1981, I was part of a 15-person delegation of university presidents to review 25 institutions of higher education in China. When students could get us aside outside of the ears of the secret police, they said then, as they do now, that they want freedom. Hopefully, increased trade will cause China's leaders to value political freedom. In the mean time, we cannot close our eyes to repression.

I urge my colleagues to do the right thing, and to vote for the bipartisan Pelosi amendment.

Mr. CRANE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to H.R. 4590, a bill to apply unworkable trade sanctions to the People's Republic of China. The debate over trading with China is serious and difficult. Because of the tragic human rights situation in China, it is easy to stray from the central question of what is the most effective policy to achieve what we all want for the Chinese people—a better life. Setting up a unilateral policy of confrontation with the Chinese Government is not the answer.

I urge my colleagues to support the President's policy of aggressively pursuing human rights objectives through economic and political engagement with China. Vote "no" on H.R. 4590 and "yes" for the Hamilton substitute.

I do not question the intentions of proponents of H.R. 4590, but I worry about the practical effects it would have. China, the most populous nation on earth, has an economy which is expanding at an astonishing pace. Chinese trade with the world grows by about 12 percent every year, twice the growth rate of global trade overall. Asia will lead the world in economic growth during the next century, and to participate effectively, the United States needs a strong presence in China.

Currently China is our 10th largest export market. The potential for substantial, additional exports is impressive. At this stage in its development process, China will be purchasing heavily in sectors such as capital goods, telecommunications, agriculture equipment and computers. I will include in the RECORD at the conclusion of my remarks, a letter to Mr. Archer from the business coalition for United States-China trade containing a list of 307 United States companies and associations who attest that their export markets will be damaged severely by H.R. 4590.

Poisoning our bilateral relationship with China would be a futile effort. Instead of joining us, our European and Japanese competitors would rush in to reap all the sales that we lose. I ask my colleagues, would passage of this bill put us in a better position to work with China to clean up the environment, or to control the development of nuclear weapons in the region? Clearly it would not. Three years before Hong Kong reverts to Chinese Communist control is not the time for the United States to be disengaging from a leadership role in the region.

This bill purports to strike at state-owned companies in China, to the exclusion of more entrepreneurial enterprises. While an attractive idea, it is one which is manifestly unworkable. Matching a product that has made its way out of China with the arbitrary definitions of state-ownership set out in this bill would be an unmanageable task for the Customs Service.

The task would soon become impossible as firms worked to disguise their identity, in an attempt to avoid the sanctions in this bill—something they do not do today. The further assignment of distinguishing which companies were recipients of government subsidies could not be administered given the murky line between free markets and state involvement in China. In the end, the legal issues involved in making these designations would virtually bring United States-China trade to a halt.

I would agree with proponents of this bill that China is one of the most protectionist countries with which we trade. The answer is not unilateral legislated sanctions but solid, negotiated solutions to targeted market access problems. USTR should pursue aggressive enforcement of the intellectual property rights agreements and the 1992 MOU on market access which addresses a broad range of sectors. Currently more needs to be done to implement these bilateral deals at the provincial level in China. The Chinese may indeed face sanctions under the special 301 intellectual property statute, for example, but these can be tailored to achieving a particular market opening measure, not a complete societal change.

I support the President's policy because he has realized after a year in office that business plays a positive role in exposing the Chinese people to ideas and skills necessary to succeed in a free market. Prosperity and expanded contact with American citizens is the best way to nurture the growth of democracy in China. We need a China policy that recognizes the broad range of our interests in this enormous country. I urge a "no" vote on H.R. 4590.

I submit the following letter from 307 American companies and associations to be included in the RECORD.

BUSINESS COALITION
FOR U.S.-CHINA TRADE,
Washington, DC, August 3, 1994.

Hon. BILL ARCHER,
U.S. House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CONGRESSMAN ARCHER: We, the undersigned American companies, farm organizations, consumer groups, and trade associations, are writing to express our strong opposition to H.R. 4590, which was introduced by Congresswoman Pelosi on July 16. We are concerned that the Pelosi bill would seriously undermine the President's China policy by revoking MFN tariff treatment for

certain imports from China and put American trade and thousands of American jobs at risk.

In announcing his new China strategy on May 26, President Clinton noted that the real issue for the United States is "how we can best support human rights in China and advance our other very significant issues and interests," including securing China's cooperation on weapons proliferation and in managing the North Korean nuclear crisis. The President determined that the best way to advance U.S. objectives on trade, human rights, proliferation, and security is to ensure that "our nations are engaged in a growing web of political and economic cooperation and contacts."

As American firms doing business in China, we see every day tangible proof that China's free market economic reforms have led to expanded freedom and better living standards for the Chinese people. Any American visitor can only be struck by the dynamism of free markets and the underlying entrepreneurialism of the Chinese people. We share the President's conviction that America's engagement with China must continue, and that U.S. trade and investment are important long-term positive forces for human rights and democracy.

The Pelosi bill is not a compromise. It would undermine the President's policy and cause serious damage to U.S. trade. While taking aim at the Chinese government, the Pelosi bill would harm Chinese reformers who support trade and investment with the United States and Chinese workers and managers who are employed by American companies. The bill invites a protectionist trade war that would put at risk nearly $9 billion of U.S. exports and almost 180,000 high-wage U.S. export jobs. The loss of China trade would also threaten thousands of jobs in America's retail establishments, financial institutions, ports, and services industries. It would also lead to substantial increases in the retail prices of many imported products familiar to American consumers.

Because China is about to embark on a massive infrastructure program, the loss of access to this rapidly emerging market would deal a catastrophic blow to the future global competitiveness of American companies. This would only benefit our European and Japanese competitors. China is a major customer for American aerospace, computers, telecommunications, wheat, power generation, motor vehicles, chemicals, and fertilizer products.

Finally, U.S. companies regularly adopt principles for business conduct on a company-by-company basis. By specifying in legislation recommended principles of business conduct for doing business in China, including principles that touch on highly sensitive political activities, the Pelosi bill would undermine individual company efforts and the President's initiative to work with leaders of the business community. The bill risks creating an appearance in China that U.S. companies are acting as agents of a foreign government and violating Chinese law. In today's highly competitive global economy, the U.S. can ill afford actions which have the effect of handicapping the ability of American companies to compete and create jobs.

On behalf of the American business community, we urge you to strongly oppose the Pelosi bill. For U.S. companies involved in U.S.-China trade, this is a potentially costly vote. It will send important signals about America's reliability as a trading partner and our nation's commitment to competing in emerging global markets.

We look forward to working closely with you to support the President's leadership on China policy and to defeat the Pelosi bill.

Sincerely,

ABB Inc.; A & C Trade Consultants, Inc.; The AES Corporation; AM General Corporation; ATC International, Inc.; AT&T Inc.; Abacus Group of America, Inc.; Abbott Laboratories; Adidas America; Advanced Aquatic Technology Associates, Inc.; Aerospace Industries Association; Aetna Asia Pacific; Aetna Life & Casualty; AlliedSignal Inc.; American Automobile Manufacturers Association; American Cyanamid Company; American Express Company; American Farm Bureau Federation; American Forest & Paper Association; American Home Products Corp.; American International Group; American Pacific Enterprises Inc.; Ameritech; Amgen Inc.; Amoco Corporation; Ascom Timeplex, Inc.; ASICS Tiger Corp.; Applause, Inc.; Armstrong World Industries; Ashe Associates; Associated Merchandising Corporation; Atlantic Richfield Company; Avon Products, Inc.; B.H. Aircraft Co. Inc.; Baker Hughes Oilfield Operations; Bandai America Inc.; Bank of America; BBC International; Bennett Importing; D. B. Berelson & Company; Bethlehem Steel Corporation; Blue Box Toys, Inc.; The Boeing Company; Bradford Novelty Co., Inc.; Bristol-Myers Squibb Company; Brown & Root, Inc.; Brown Shoe Co.; The Business Roundtable; Buxton Co.; California R & D Center, Inc.; Caltex Petroleum Corporation; Cargill, Incorporated; Caterpillar Inc.; Central Purchasing Inc.; Cherokee Shoe Co.; Chevron Corporation; China Human Resources Group; China Products North America, Inc.; China Trade Associates; Chrysler Corporation; The Chubb Corporation; CIGNA Corporation; CMS Industries; The Coca-Cola Company; Cole Hann; C.O. Lynch; Commercial Intertech Corporation; ConAgra, Inc.; CONCORD; Consolidated Minerals Inc.; Consumers for World Trade; Continental Grain Company; Cooper Industries; Coopers & Lybrand; CSX Corporation; Cypress Enterprises; Daisy Manufacturing Co., Inc.; Dakin, Inc.; Dana Corporation; Davis Wright Tremaine; Dayton Hudson Corp.; Daytona Inc.; Deere & Company; The Dexter Corporation; Diamond Power Specialty Co.; Digital Equipment Corp.; R.R. Donnelly & Sons Co.; The Dow Chemical Company; Dresser Industries, Inc.; The Dun & Bradstreet Corporation; E. I. du Pont de Nemours & Company; Duracell International Inc.; Dynasty Footwear; EEI, Inc.; Eastern American, Inc.; Eastman Chemical Company; Eastman Kodak Company; Eaton Corporation; Eden Toys, Inc.; Edison Brothers Stores; Elan-Polo, Inc.; Electronic Industries Association; Endicott Johnson; The Ertl Company, Inc.; Essex Group, Inc.; Excel Importing Corporation; Emergency Committee for American Trade; Enron Corp.; Exxon; The Fertilizer Institute; Fluor Corporation; FMC Corporation; FOOTACTION USA; Footwear Distributors and Retailers of America; Ford Motor Company; Foster Wheeler Corporation; The Foxboro Company; Frequency Electronics, Inc.; Fun World/Div. of Easter Unlimited, Inc.; GenCorp; General Electric Company; General Motors Corporation; Genesco, Inc.; The Gillette Company; The Goodyear Tire & Rubber Company; Grand Imports, Inc.; Great Eastern Mountain Investment Company; Guardian Industries Corp.; Gund, Inc.; Hasbro, Inc.; HASCO Components International Corporation; HMS Productions, Inc.; Halliburton Company; Hallmark Cards, Inc.; R.A. Hanson Company, Inc.; Harris Corporation; Hedstrom Corporation; Henry Gordy International, Inc.; Hercules Incorporated; Hewlett-Packard Company; H.H. Brown; Hawe Yue/Rayjen Intl.; Hills & Company; Hoechst Celanese Corporation; Honeywell, Inc.; Hongson; Hughes Aircraft Company; Hull Corporation; IBM Corporation; Intel Corporation; Inter-Pacific Corp.; International Seaway; ITOCHU International Inc.; ITT Corporation; International Development Planners; International Insurance Council; Jack Guttman, Inc./Bakery Crafts; Janex Corporation; J. Baker, Inc.; Jerry Elsner Company, Inc.; Jimlar Corporation; Jirch Resources Co., Inc.; Johnson Controls; Kinney Shoe Co.; K-Swiss, Inc.; L.A. Gear; Laird, Ltd.; Leather Apparel Association; Lewis Galoob Toys, Inc.; Liberty Classics; The Limited, Inc.; Liz Claiborne; LJO, Inc.; Lockheed Corporation; MG Trading & Development; M. W. International, Inc.; The M. W. Kellogg Co.; Mangelsen's; Manley Toys, Ltd.; Mattel, Inc.; Marine Midland Bank; McDermott Incorporated; McDonnell Douglas; McGraw-Hill, Inc.; Meldisco; Merck & Co., Ltd.; Mercury Int'l.; Merrill Lynch & Co., Inc.; Midwest of Cannon Falls; Might Star, Inc.; Mobil Corporation; Monarch Import Company; Monsanto Company; Morrison Knudsen Corp.; Motorola Inc.; Mustang International Groups Inc.; Nadel & Sons Toy Corp.; National Association of Manufacturers; National Foreign Trade Council, Inc.; National Semiconductor; Natural Science Industries, Ltd.; Nature's Farm Products, Inc.; NIKE, Inc.; Nikko America, Inc.; Norman Broadbent International, Inc.; North American Export Grain Association; Northern Telecom Inc.; Nylint Toy Company; NYNEX Corporation; The Ohio Art Company; Olem Shoe Corp.; Owens Corning; Pacific Basin Economic Council; Pacific Rim Consulting; Pacific Trade Institute, Inc.; Pagoda; Payless ShoeSource; J.C. Penney Company, Inc.; PepsiCo, Inc.; Perkin Elmer; Petroleum Equipment Suppliers Association; Pfizer Inc.; Philip Morris Companies Inc.; Phillips Petroleum Company; Pic'n Pay Stores; The Portman Companies; Portman Overseas; Praxair, Inc.; Premark International, Inc.; Pressman Toy Corporation; Price Brothers Company; Processed Plastic Company; Procter & Gamble Company; Reebok International, Ltd.; Reeves International, Inc.; Revell-Monogram, Inc.; Ridgewood Partners Ltd.; Riggs Tool Company Inc.; Ripple Investments, Inc.; Rockwell International Corporation; Rohm and Haas Company; Russ Berrie & Co., Inc.; Safari Limited; Saint-Gobain Corporation; Schering-Plough International; Scientific Design Company, Inc.; Sea-Land Service, Inc.; Sears Roebuck & Co.; Sega of America, Inc.; Shanghai Industrial Consultants;

Shelcore, Inc.; Shoe Town, Inc.; Shonac Corp.; Sierra Machinery, Inc.; Southern Electric International; Spectrum HoloByte, Inc.; Sporting Goods Manufacturers Association; The Stride Rite Corp.; Sundstrand Corporation; TRW Inc.; Tasco Sales, Inc.; Tendler Beretz Associates Ltd.; Tenneco Inc.; Texaco Inc.; Texas Instruments Incorporated; The Bee Gee Shoe Corp.; The Butler Group; The Kobacker Co.; Thom McAn Shoe Co.; Thomson Consumer Electronics, Inc.; 3M Company; Time Warner Inc.; Topline Imports; Tradehome; Trade Wind Imp.; Trans-Ocean Import Co., Inc.; Tomy America, Inc.; Toy Manufacturers of America, Inc.; Toys 'R' Us, Inc.; Tyco Playtime; Tyco Toys, Inc.; USX Engineers & Consultants, Inc.; US-China Industrial Exchange, Inc.; U.S. Chamber of Commerce; U.S. Council for International Business; Uneeda Doll Company, Inc.; Unicover Corporation; Union Camp Corporation; Union Carbide Corporation; UNISYS; Uniroyal Chemical Company, Inc.; United States Association of Importers of Textiles & Apparel; United States-China Business Council; United Technologies Corporation; Unocal Corp.; Venture Stores Inc.; VTech Industries, Inc.; Waco Products Corporation; Warner-Lambert Company; Western Atlas; Westinghouse Electric Corporation; Weyerhaeuser Company; Whirlpool Corporation; Wilsons The Leather Experts; Windmere Corporation; Witco Corp.; Wm. Wrigley Jr. Company; Xerox Corporation.

□ 1720

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from Guam [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, I thank the gentlewoman for yielding this time to me.

Mr. Chairman, once again, this Congress must consider matching our declarations with our dollars. We must decide if we will send a bold and meaningful signal to the Peoples' Republic of China or hide behind a veil of empty rhetoric.

The bill introduced by the gentlewoman from California is a solid, pragmatic means of confronting the PRC's human rights abuses without disrupting the expanding private sector trade between our nations.

No one in this Chamber disputes the PRC's abysmal human rights record. Amnesty International and Asia Watch have documented the PRC's lack of due process rights to a fair trial, the detention of prisoners of conscience, the repression of the right to peaceful assembly, and a crackdown against religious activity. In 1993, 77 percent of all the world's death sentences were carried out in the PRC, a role model for death penalty supporters, including for such nonviolent offenses as embezzlement. According to the International Campaign for Tibet, repression against Tibetan Buddhist nuns has increased. In 1993, 12 nuns, including a 15-year-old girl, were sentenced to up to 7 years in prison.

And we are expected to extend favors to this country.

All these actions contradict customary international law which binds all nations. The universal declaration on human rights and the covenant on civil and political rights represent the international family's attempt to confront and combat human rights abuses, such as those found in the PRC. As a member of the United Nations and a permanent member of the security council, the PRC has a responsibility to uphold these international standards.

The PRC also stands as a threat to modern nonproliferation efforts. Of the five recognized nuclear powers, it is the only one that will not observe a nuclear test ban. Questions remain about the PRC's alleged exports of chemical weapons munitions to Iran and its export of M-11 missile technology to Pakistan.

In addition to recognizing the PRC's human rights and proliferation records, no one in this Chamber denies the economic importance to the United States of our trade relationship with the PRC. Our nations have a $40 billion trade relationship, including $9 billion in U.S. exports. This trade relationship provides the best tool for us to make a statement about the behavior of the PRC.

This bill strikes a delicate balance between confronting the human rights abuses and preserving a healthy trade relationship. It would only target trade with the PRC's military and other state-owned industries, leaving private industry free to trade with United States firms and the growth of private industry is readily acknowledged as a promoter of democratic reform.

The PRC claims to have a relatively small defense budget of $22 billion, but has engaged in budget smoke-and-mirrors, hiding funds in its police budget and elsewhere, and securing an annual defense growth rate of 10 percent per year. Many of the goods procured with these funds are made by slave labor.

I believe we can put a wrench in the gears of China's war machine and human rights abuses, while allowing the engine of free trade to keep moving forward. It would be a bold foreign policy action and a smart economic protection. I urge support for the measure. We do not need to extend more favors to the PRC.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington [Mrs. UNSOELD], and thank her for her courageous leadership on human rights throughout the world.

Mrs. UNSOELD. I thank the gentlewoman for yielding this time to me.

Mr. Chairman, some Members oppose the use of trade measures against China on the grounds that unfettered commercial exchanges will bring about political reform.

Well, I have a few questions for them. Would these same members argue that the use of sanctions to press for the end to apartheid in South Africa was a mistake? Would they argue that the use of sanctions against the old Soviet Union was a mistake? Are they prepared today to argue the case for lifting sanctions against Iraq, Haiti, and Serbia? I doubt it.

Let us be honest. Most of the resistance to the Pelosi amendment stems from the fact that large commercial interests have a stake in maintaining markets in China.

Those of us supporting the Pelosi amendment are sensitive to that. I would remind Members that if this measure is adopted China would still enjoy a huge trade surplus with the United States. That surplus will provide plenty of leverage to forestall retaliation.

So what will the Pelosi amendment do? It will go after goods produced by the Chinese military. They are the ones who drove tanks over protesters in Tiananmen Square. They are the ones guilty of imprisoning and torturing human beings in Tibet and China for their religious and political beliefs.

If we end MFN status for goods produced by the very inappropriately named People's Liberation Army, we will be turning off the spigot that is financing their arms build-up and aiding the suppression of those who advocate freedom.

The cause of human rights is about standing for the individual against a tyrannical government. One such courageous individual has been traveling our country, sharing her story. Tsultrim Dolma was a nun in Tibet arrested by the PLA for taking part in a political demonstration. While in custody she was raped and tortured. A device was rammed into her mouth sending volts of electricity through her body—volts so powerful that her teeth were knocked out and she was left unconscious. That is the PLA whose products now get more favored treatment.

Mr. Chairman, this is a great Nation because we have stood for certain principles. America's founding principle was most powerfully expressed by Thomas Jefferson: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights * * *"

This House has the opportunity to answer whether those words still ring true for us today. I hope Members answer overwhelmingly that they do—that we are still a people willing to stand up for freedom. Support the Pelosi amendment.

Mr. MATSUI. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Chairman, I thank the gentleman for yielding this time to me, and I rise in opposition to the Pelosi bill.

Mr. Chairman, no one disagrees that China must improve its record in the

area of human rights. China continues to fall far short of international standards. The United States must continue to publicly raise concerns about the detention of political prisoners, prison conditions, use of forced labor, and human rights violations in Tibet.

However, I believe that through our business contacts with China, we are helping to develop an entrepreneurial middle class there—men and women whose lives will be improved and who will have the experience and the benefit of China's transition to a market economy. Delinking MFN and human rights conditions will promote a broad engagement between the United States and China, not only through economic contacts but also through cultural, educational, and other exchanges.

In the long run, I believe this is the best approach to promoting and achieving real progress on human rights in China.

The Pelosi bill would prohibit all imports from China that are a product of the Chinese Army or are goods produced, manufactured, or exported by state-owned Chinese enterprises. This targeted approach while well-intentioned is not workable.

The Pelosi bill would force the U.S. administration into countless numbers of hearings and reviews to determine what products are prohibited and what products are not, what exactly is a state-owned enterprise and what is not.

In addition, it would put in jeopardy hundreds of thousands of American jobs. The Pelosi bill is unworkable and counterproductive to achieving increased human rights protection in China because it will sever important cultural and economic ties.

We should be resolute in our efforts to achieve progress on human rights while at the same time developing a fair trading system between the the United States and China.

I urge my colleagues to reject the Pelosi bill.

Ms. PELOSI. Mr. Chairman, I am pleased now to yield 1 minute to the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. MCCLOSKEY. Mr. Chairman, I thank the gentlewoman for yielding this time to me, and I commend her for her leadership.

Mr. Chairman, how can we look American working people in the eye and say we want to extend MFN protection to Chinese goods manufactured in slave labor factories and prison cmps?

If we can not say "no" to this for fear of offense, what is our leverage to say "no" to anything?

As to their $24 billion and growing surplus with us, why do we allow the Chinese market to remain rife with internal barriers crafted specifically to deflect United States exports?

A memorandum of understanding between the United States and China in August, 1992, provided a mechanism for United States investigations of suspect slave labor facilities. More than a year after that agreement was signed, the Chinese had acknowledged only 16 of 31 United States requests to investigate factories suspected of using slave labor. They granted only one request during that visit, United States representatives were denied access to parts of the compound. The United States request to revisit that facility was denied. This is good intentions?

I might say this is ridiculous and absurd. We see where their intentions are. Vote "yes" on Pelosi, vote "yes" for humanity and fairness.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. I thank the gentlewoman from California for yielding this time to me, and I thank her for her extraordinary leadership on this issue.

Mr. Chairman, I rise in support of the Pelosi substitute to H.R. 4590 which revokes most-favored-nation [MFN] status for products made under the control of the Chinese Government and its military.

This substitute directs the Treasury Department to publish a list of military, state-owned, and defense industrial trading companies in China and urges the Treasury Department to encourage U.S. firms operating there to adopt a voluntary code of conduct which respects basic human rights.

I have listened to and read what has been advanced by those who support delinkage. Their words ring hollow when we see Chinese citizens sent to forced labor camps where they must make goods for shipment to the United States.

Our business community, particularly the high technology industry in my district, sees tremendous commercial opportunities in China. China is cited as the greatest market in history for United States exports. I share their view that we pursue new markets.

But, Mr. Chairman, I also know the most valuable export our great Nation has is democracy. And the best lesson in democracy we can give the world is the standard we set for ourselves.

That standard is this: We will not give special trade privileges to those who do not give basic human rights to their citizens.

Will China learn democracy sooner or later if we all United States businesses to trade with China as a favored nation? Perhaps.

But should the United States traffic in products made by Chinese workers wit bayonets held to their throats? No, Mr. Chairman, we do not need to be trading in that kind of work product.

The Pelosi substitute provides a clear message to the Chinese Government. It says we respectfully inform you that there are consequences in failing to meet basic human rights standards we set for nations we grant special privileges to.

Mr. Chairman, those standards were set by the President with the support of Congress and American business last year. I believe that not equivocating on those standards sends a clear and firm message to China's leaders which may be more beneficial to us than any short term economic benefits.

I urge my colleagues to support the Pelosi substitute to H.R. 4590.

□ 1730

Ms. PELOSI. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I commend my colleague, the gentlewoman from California [Ms. PELOSI], for her rational and appropriate compromise on the issue of China MFN.

Like Ms. PELOSI, all of us want to bring about freedom and democracy in China. Yet, none of us want to cut off trade with that nation, or to harm American companies that do business there.

The real issue here is leverage. How can we use leverage with the Chinese Government to help bring about real change?

Some say, "Let market forces continue—and, change is inevitable." But, no leverage at all is hardly convincing to leaders who murder and imprison their citizens to prevent change.

Some say, Cut off MFN entirely. But, such a blunt tool could spark a counterproductive trade war and prevent continued dialog with China's leaders.

The real solution is H.R. 4590. It lets the United States stand up for human rights, while using our leverage to move China's leaders closer to respect for human rights.

We all look forward to a day when sanctions are not needed—when freedom is a fact of life for the Chinese people.

H.R. 4590 will bring that day closer, and that's why we should support it.

Mr. CRANE. Mr. Chairman, I yield myself the balance of the time at this moment so my distinguished colleague from California can make the concluding remarks.

Mr. Chairman, at the outset I do want to pay tribute to a most gracious woman, and she has a firm commitment that I have recognized certainly and respect profoundly even though we have honest disagreements. So, I say to the gentlewoman, "I salute you, Ms. PELOSI."

I simply want to reiterate a few things that were said earlier, and that has to do with the importance of an American presence in mainland China. The fact of the matter is we are there to set a positive example, amongst other things. The treatment of the work force by American employers in

terms of worker safety, worker welfare, in terms of looking to environmental concerns, these set the kinds of positive examples that can have that rippling effect that will touch other people's lives in China that have never been exposed to that before. The United States has been in the vanguard in all of these areas, and I think it is important to remember Ben Franklin's counsel: "A good example is the best sermon."

Mr. Chairman, the United States presence there provides that good example and that sermon, and it is for that reason that I think expanded U.S. participation and presence on mainland China serves to advance not just the economic interests of the United States or the economic interests of mainland China. It serves to advance the interests that we share and that are being expressed in the effort by the gentlewoman from California [Ms. PELOSI] but which can be better achieved by having a continuing U.S. presence there and an expanded one.

So, I urge Members, with all due respect, to defeat H.R. 4590 and to support the gentleman from Indiana [Mr. HAMILTON].

Mr. BUNNING. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I do not think anyone here has suggested that we disengage in trading with China. The policy that we are now discussing is whether we should grant them MFN status. Everyone, and I think it is indisputable, knows that China is the worst as far as human rights violations in the whole world. This legislation merely asks that MFN status for China be denied in relationship to products produced by the People's Liberation Army, the Chinese defense industry companies and Communist state owned enterprises. I think it is important that we make that distinction, and I urge support for the Pelosi amendment.

Mr. MATSUI. Mr. Chairman, I yield 2½ minutes, which is all the time we have remaining, to the gentleman from Kansas [Mr. GLICKMAN], the chairman of the Permanent Select Committee on Intelligence.

Mr GLICKMAN. First of all, Mr. Chairman, I have to tell my colleagues a little bit about the gentlewoman from California [Ms. PELOSI]. She is one of the most persistent, doggedly tenacious people on the issue of human rights that I ever met. We were in China together about a year ago on a Permanent Select Committee on Intelligence trip. Wherever we went, from the highest government official down, she tenaciously raised the issue of human rights in a vigorous fashion, even in circumstances that probably they never thought it would be raised in their lifetime, and I think she made her point, and it was an important point, but I disagree with her on this issue and for a couple of reasons, and let me tell my colleagues why.

Just a few months ago the President of the United States announced a major foreign policy initiative, the renewal of MFN to China, and, yes, there was some controversy about it, but can my colleagues imagine how indecisive America will now look in the world if today we cut not only his legs off, but cut American foreign policy legs off in terms of that position? We are being accused of being indecisive in Bosnia, of being indecisive in Haiti, of being indecisive in other parts of the world. We have one place where we have made a clear foreign policy decision. It is China. And now the U.S. Congress is going to say to this President, who has not had the most stellar record in the world of consistency in foreign policy, "I'm sorry, Mr. President, you're wrong. We are going to do this one away from you."

Mr. Chairman, this is a very bad thing to do to this country, not just to this President, but to this country at a time when he has made a decision and one that we need to stand by.

The second thing has to do with human rights, and it is no question that China has a much less than stellar record in human rights, but this is one of the most important countries in the world economically, diplomatically and militarily. China soon, with the United States, will probably be the two most economically powerful nations in the world.

China is also a country that, believe it or not, was quite helpful to the United States during the cold war when our efforts were focused on containing Moscow. China was of extreme help to our country in making sure that the Soviets were contained.

This is not a country that has been a constant adversary of the United States. Yes, it is a country that has a different standard for its people and the one that we have got to find the right leverage to change so that they improve their standard, but by adopting the Pelosi resolution, Mr. Chairman, we isolate China, we isolate them at a time that the North Korean Government has the potential, if not the reality, of developing nuclear weapons and missiles to deliver to Japan, to China and sell all over the world, and our only ace in the hole is China. We isolate them at a time when other countries in Southeast Asia are developing, and we need Chinese help in order to make sure that we have opportunity to influence those countries diplomatically and economically. We isolate them at a time when we need to improve their human rights record, and they will laugh at us when we try to cause their improvement without continuing the trade relationship.

So, while I honor the commitment of the gentlewoman from California [Ms. PELOSI], I think she is wrong on this one. I urge my colleagues to support the Hamilton resolution.

Ms. PELOSI. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I feel very privileged to rise today to close the debate on H.R. 4590. Of course I rise in support of my own legislation, and in doing so I want to thank my colleagues who have spoken here today, who have lent their names as cosponsors to the legislation: The gentleman from Missouri [Mr. GEPHARDT], the gentleman from Michigan [Mr. BONIOR], the gentleman from New York [Mr. GILMAN], the gentleman from Virginia [Mr. WOLF], and the list goes on and on to over a hundred Members, Democrats and Republicans alike.

I believe that Wei Jing Jung, who has not been seen since he had a meeting with Secretary Shattuck, should be very pleased that so many Members of this House of Representatives have stood by him in this debate in the face of intense lobbying from those who, while certainly supportive of human rights, do not give it the priority that we do in our relationship with China, and I say that very forthrightly, Mr. Chairman.

□ 1740

Mr. Chairman, one of our colleagues who use to be in this body, Representative Lindy Boggs from Louisiana, had a saying that she would say to us from time to time in the Women's Caucus especially. She would say: "Know thy power." I say that to our colleagues here today. Know thy power. With your vote today, you can make a statement in support of the moderates and the reformers in China, and the succession there is very important to our national interests. It is important that it go in a more open politically reformed direction.

With your vote, knowing thy power, you can make a great advance for the American worker. Because you can recognize the linkage, yes, the linkage that is there between the fate of the American worker and the promotion of human rights abroad.

Human rights activists and labor activists abroad have said that what we are doing in Asia with our trade is racing to the bottom. Companies in countries compete for the worst laws, and the weaker the laws are, the better they like it. The American worker's job is dependent on workers' rights in other countries, because as long as those countries repress their workers and their rights, as well as other rights, the American worker is ill-served, because we cannot compete with no-cost labor for like-prison labor.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered as read for amendment under the 5-minute rule.

The text of H.R. 4590 is as follows:

H.R. 4590

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States-China Act of 1994".

SEC. 2. FINDINGS AND POLICY.

(a) FINDINGS.—The Congress makes the following findings:

(1) In Executive Order 12850, dated May 28, 1993, the President established conditions for renewing most-favored-nation treatment for the People's Republic of China in 1994.

(2) The Executive order requires that in recommending the extension of most-favored-nation trade status to the People's Republic of China for the 12-month period beginning July 3, 1994, the Secretary of State shall not recommend extension unless the Secretary determines that such extension substantially promotes the freedom of emigration objectives contained in section 402 of the Trade Act of 1974 (19 U.S.C. 2432) and that China is complying with the 1992 bilateral agreement between the United States and China concerning export to the United States of products made with prison labor.

(3) The Executive order further requires that in making the recommendation, the Secretary of State shall determine if China has made overall significant progress with respect to—

(A) taking steps to begin adhering to the Universal Declaration of Human Rights;

(B) releasing and providing an acceptable accounting for Chinese citizens imprisoned or detained for the nonviolent expression of their political and religious beliefs, including such expressions of beliefs in connection with the Democracy Wall and Tiananmen Square movements;

(C) ensuring humane treatment of prisoners, and allowing access to prisons by international humanitarian and human rights organizations;

(D) protecting Tibet's distinctive religious and cultural heritage; and

(E) permitting international radio and television broadcasts into China.

(4) The Executive order requires the executive branch to resolutely pursue all legislative and executive actions to ensure that China abides by its commitments to follow fair, nondiscriminatory trade practices in dealing with United States businesses and adheres to the Nuclear Nonproliferation Treaty, the Missile Technology Control Regime guidelines and parameters, and other nonproliferation commitments.

(5) The Government of the People's Republic of China, a member of the United Nations Security Council obligated to respect and uphold the United Nations charter and Universal Declaration of Human Rights, has over the past year made less than significant progress on human rights. The People's Republic of China has released only a few prominent political prisoners and continues to violate internationally recognized standards of human rights by arbitrary arrests and detention of persons for the nonviolent expression of their political and religious beliefs.

(6) The Government of the People's Republic of China has not allowed humanitarian and human rights organizations access to prisons.

(7) The Government of the People's Republic of China has refused to meet with the Dalai Lama, or his representative, to discuss the protection of Tibet's distinctive religious and cultural heritage.

(8) It continues to be the policy and practice of the Government of the People's Republic of China to control all trade unions and suppress and harass members of the independent labor union movement.

(9) The Government of the People's Republic of China continues to restrict the activities of accredited journalists.

(10) The People's Republic of China's defense industrial trading companies and the People's Liberation Army engage in lucrative trade relations with the United States and operate lucrative commercial businesses within the United States. Trade with and investments in the defense industrial trading companies and the People's Liberation Army are contrary to the national security interests of the United States.

(11) The President has conducted an intensive high-level dialogue with the Government of the People's Republic of China, including meeting with the President of China, in an effort to encourage that government to make significant progress toward meeting the standards contained in the Executive order for continuation of most-favored-nation treatment.

(12) The Government of the People's Republic of China has not made overall significant progress with respect to the standards contained in the President's Executive Order 12850, dated May 28, 1993.

(b) POLICY.—It is the policy of the Congress that, since the President has recommended the continuation of the waiver under section 402(d) of the Trade Act of 1974 for the People's Republic of China for the 12-month period beginning July 3, 1994, such waiver shall not provide for extension of nondiscriminatory trade treatment to goods that are produced, manufactured, or exported by the People's Liberation Army or Chinese defense industrial trading companies or to nonqualified goods that are produced, manufactured, or exported by state-owned enterprises of the People's Republic of China.

SEC. 3. LIMITATIONS ON EXTENSION OF NONDISCRIMINATORY TREATMENT.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) if nondiscriminatory treatment is not granted to the People's Republic of China by reason of the enactment into law of a disapproval resolution described in subsection (b)(1), nondiscriminatory treatment shall—

(A) continue to apply to any good that is produced or manufactured by a person that is not a state-owned enterprise of the People's Republic of China, but

(B) not apply to any good that is produced, manufactured, or exported by a state-owned enterprise of the People's Republic of China,

(2) if nondiscriminatory treatment is granted to the People's Republic of China for the 12-month period beginning on July 3, 1994, such nondiscriminatory treatment shall not apply to—

(A) any good that is produced, manufactured, or exported by the People's Liberation Army or a Chinese defense industrial trading company, or

(B) any nonqualified good that is produced, manufactured, or exported by a state-owned enterprise of the People's Republic of China, and

(3) in order for nondiscriminatory treatment to be granted to the People's Republic of China, and subsequent to the granting of such nondiscriminatory treatment, the Secretary of the Treasury shall consult with leaders of American businesses having significant trade with or investment in the People's Republic of China, to encourage them to adopt a voluntary code of conduct that—

(A) follows internationally recognized human rights principles,

(B) ensures that the employment of Chinese citizens is not discriminatory in terms of sex, ethnic origin, or political belief,

(C) ensures that no convict, forced, or indentured labor is knowingly used,

(D) recognizes the rights of workers to freely organize and bargain collectively, and

(E) discourages mandatory political indoctrination on business premises.

(b) DISAPPROVAL RESOLUTION.—

(1) IN GENERAL.—For purposes of this section, the term "resolution" means only a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on _____ with respect to the People's Republic of China because the Congress does not agree that the People's Republic of China has met the standards described in the President's Executive Order 12850, dated May 28, 1993.", with the blank space being filled with the appropriate date.

(2) APPLICABLE RULES.—The provisions of sections 153 (other than paragraphs (3) and (4) of subsection (b)) and 402(d)(2) (as modified by this subsection) of the Trade Act of 1974 shall apply to a resolution described in paragraph (1).

(c) DETERMINATION OF STATE-OWNED ENTERPRISES AND CHINESE DEFENSE INDUSTRIAL TRADING COMPANIES.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall determine which persons are state-owned enterprises of the People's Republic of China and which persons are Chinese defense industrial trading companies for purposes of this Act. The Secretary shall publish a list of such persons in the Federal Register.

(2) PUBLIC HEARING.—

(A) GENERAL RULE.—Before making the determination and publishing the list required by paragraph (1), the Secretary of the Treasury shall hold a public hearing for the purpose of receiving oral and written testimony regarding the persons to be included on the list.

(B) ADDITIONS AND DELETIONS.—The Secretary of the Treasury may add or delete persons from the list based on information available to the Secretary or upon receipt of a request containing sufficient information to take such action.

(3) DEFINITIONS AND SPECIAL RULES.—For purposes of making the determination required by paragraph (1), the following definitions apply:

(A) CHINESE DEFENSE INDUSTRIAL TRADING COMPANY.—The term "Chinese defense industrial trading company"—

(i) means a person that is—

(I) engaged in manufacturing, producing, or exporting, and

(II) affiliated with or owned, controlled, or subsidized by the People's Liberation Army, and

(ii) includes any person identified in the United States Defense Intelligence Agency publication numbered VP-1920-271-90, dated September 1990.

(B) PEOPLE'S LIBERATION ARMY.—The term "People's Liberation Army" means any branch or division of the land, naval, or air military service or the police of the Government of the People's Republic of China.

(C) STATE-OWNED ENTERPRISE OF THE PEOPLE'S REPUBLIC OF CHINA.—(i) The term "state-owned enterprise of the People's Republic of China" means a person who is affiliated with or wholly owned, controlled, or subsidized by the Government of the People's

Republic of China and whose means of production, products, and revenues are owned or controlled by a central or provincial government authority. A person shall be considered to be state-owned if—

(I) the person's assets are primarily owned by a central or provincial government authority;

(II) a substantial proportion of the person's profits are required to be submitted to a central or provincial government authority;

(III) the person's production, purchases of inputs, and sales of output, in whole or in part, are subject to state, sectoral, or regional plans; or

(IV) a license issued by a government authority classifies the person as state-owned.

(ii) Any person that—

(I) is a qualified foreign joint venture or is licensed by a governmental authority as a collective, cooperative, or private enterprise; or

(II) is wholly owned by a foreign person, shall not be considered to be state-owned.

(D) QUALIFIED FOREIGN JOINT VENTURE.—The term "qualified foreign joint venture" means any person—

(i) which is registered and licensed in the agency or department of the Government of the People's Republic of China concerned with foreign economic relations and trade as an equity, cooperative, contractual joint venture, or joint stock company with foreign investment;

(ii) in which the foreign investor partner and a person of the People's Republic of China share profits and losses and jointly manage the venture;

(iii) in which the foreign investor partner holds or controls at least 25 percent of the investment and the foreign investor partner is not substantially owned or controlled by a state-owned enterprise of the People's Republic of China;

(iv) in which the foreign investor partner is not a person of a country the government of which the Secretary of State has determined under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)) to have repeatedly provided support for acts of international terrorism; and

(v) which does not use state-owned enterprises of the People's Republic of China to export its goods or services.

(E) PERSON.—The term "person" means a natural person, corporation, partnership, enterprise, instrumentality, agency, or other entity.

(F) FOREIGN INVESTOR PARTNER.—The term "foreign investor partner" means—

(i) a natural person who is not a citizen of the People's Republic of China; and

(ii) a corporation, partnership, instrumentality, enterprise, agency, or other entity that is organized under the laws of a country other than the People's Republic of China and 50 percent or more of the outstanding capital stock or beneficial interest of such entity is owned (directly or indirectly) by natural persons who are not citizens of the People's Republic of China.

(G) NONQUALIFIED GOOD.—The term "nonqualified good" means a good to which chapter 39, 44, 48, 61, 62, 64, 70, 73, 84, 93, or 94 of the Harmonized Tariff Schedule of the United States applies.

(H) CONVICT, FORCED, OR INDENTURED LABOR.—The term "convict, forced, or indentured labor" has the meaning given such term by section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(I) VIOLATIONS OF INTERNATIONALLY RECOGNIZED STANDARDS OF HUMAN RIGHTS.—The term "violations of internationally recognized standards of human rights" includes but is not limited to, torture, cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance of persons by abduction and clandestine detention of those persons, secret judicial proceedings, and other flagrant denial of the right to life, liberty, or the security of any person.

(J) MISSILE TECHNOLOGY CONTROL REGIME.—The term "Missile Technology Control Regime" means the agreement, as amended, between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on an annex of missile equipment and technology.

(d) SEMIANNUAL REPORTS.—The Secretary of the Treasury shall, not later than 6 months after the date of the enactment of this Act, and the end of each 6-month period occurring thereafter, report to the Congress on the efforts of the executive branch to carry out subsection (c). The Secretary may include in the report a request for additional authority, if necessary, to carry out subsection (c). In addition, the report shall include information regarding the efforts of the executive branch to carry out subsection (a)(3).

SEC. 4. PRESIDENTIAL WAIVER.

The President may waive the application of any condition or prohibition imposed on any person pursuant to this Act, if the President determines and reports to the Congress that the continued imposition of the condition or prohibition would have a serious adverse effect on the vital national security interests of the United States.

SEC. 5. REPORT BY THE PRESIDENT.

If the President recommends in 1995 that the waiver referred to in section 2 be continued for the People's Republic of China, the President shall state in the document required to be submitted to the Congress by section 402(d) of the Trade Act of 1974, the extent to which the Government of the People's Republic of China has made progress during the period covered by the document, with respect to—

(1) adhering to the provisions of the Universal Declaration of Human Rights,

(2) ceasing the exportation to the United States of products made with convict, force, or indentured labor,

(3) ceasing unfair and discriminatory trade practices which restrict and unreasonably burden American business, and

(4) adhering to the guidelines and parameters of the Missile Technology Control Regime, the controls adopted by the Nuclear Suppliers Group, and the controls adopted by the Australia Group.

SEC. 6. SANCTIONS BY OTHER COUNTRIES.

If the President decides not to seek a continuation of a waiver in 1995 for the People's Republic of China under section 402(d) of the Trade Act of 1974, the President shall, during the 30-day period beginning on the date that the President would have recommended to the Congress that such a waiver be continued, undertake efforts to ensure that members of the General Agreement on Tariffs and Trade take a similar action with respect to the People's Republic of China.

The CHAIRMAN. No amendment shall be in order except the amendments printed in House Report 103–673, which may be offered only by the Member designated in the report, shall be considered as read, and shall not be subject to amendment. Debate on each amendment will be equally divided and controlled by the proponent and an opponent of the amendment. If more than one of the amendments printed in the report is adopted, only the last to be adopted shall be considered as finally adopted and reported to the House.

It is now in order to consider the amendment numbered one in House Report 103–673.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. HAMILTON

Mr. HAMILTON. Mr. Chairman, pursuant to the rule, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. HAMILTON:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States-China Policy Act of 1994".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The economic, social, political, and cultural welfare of the people of China, who constitute one-fifth of the world's population, is a matter of global humanitarian concern.

(2) By virtue of its size, its economic vitality, its status as a nuclear power, and its role as a permanent member of the United Nations Security Council, China plays a significant role in world affairs.

(3) The United States policy toward China involves balancing multiple interests, including promoting human rights and democracy, securing China's strategic cooperation in Asia and the United Nations, protecting United States national security interests, controlling the proliferation of weapons of mass destruction, promoting a peaceful and democratic transition in Hong Kong, and expanding United States economic contact with China.

(4) United States policy toward China must include as a key objective the promotion of internationally recognized human rights. Specific priorities and methods should be appropriate to the circumstances. Engagement with China rather than its isolation is more likely to foster United States interests.

(5) The opening of China to the West, the adoption of free market economic reforms, the emergence of a strong and entrepreneurial economy that ensures the rise of a Chinese middle class; all have led to expanded individual freedom, a weakening of state control over personal expression, access to the media in the United States, Hong Kong, and the West, and major improvements in living standards for the Chinese people.

(6) United States policies that encourage economic liberalization and increased contact with the United States and other democracies foster respect for internationally recognized human rights and can contribute to civil and political reform in China.

(7) The President's policy statement of May 26, 1994, provides a sound framework for expanding and extending the relationship of the United States with China while continuing the commitment of the United States to its historic values. The United States must develop a comprehensive and coherent policy toward China that addresses the complex and

fast-changing reality in that country and promotes simultaneously the human rights, diplomatic, economic, and security interests of the United States toward China.

(8) The United States has an interest in a strong, stable, prosperous, and open China whose government contributes to international peace and security and whose actions are consistent with the responsibilities of great power status. Whether those expectations are met will determine the breadth, depth, and tone of the United States-China bilateral relationship.

(9) Peace and economic progress in East Asia is best assured through a web of cooperative relations among the countries of the region, including China and the United States. The emergence of a militarily powerful China that seeks to dominate East Asia would be regarded as a matter of serious concern by the United States and by other countries in the Asia-Pacific region.

(10) Yet China's performance has been uneven on a number of issues of concern to the United States. In particular, the Chinese Government has failed to observe internationally recognized human rights. In this regard the Congress makes the following declarations:

(A) The Chinese Government itself has made commitments to observe universal human rights norms.

(B) Human rights have universal application and are not solely defined by culture or history.

(C) Chinese policies of particular concern to the United States are the criminalization of dissent, the inhumane treatment in prisons, and the serious repression in non-Han-Chinese areas like Tibet.

(11) Genuine political stability in China and greater respect for internationally recognized human rights, as well as continued economic growth and stability, will only occur in China as a result of a strengthened legal system (based on the rule of law and property rights), the emergence of a civil society, and the creation of political institutions that are responsive to public opinion and the interests of social groups.

(12) China has entered a major transition in its political history which will determine the nature of the domestic system, including respect for internationally recognized human rights, and the Chinese Government's foreign policy. The Chinese Government should accelerate the process of reform of all aspects of Chinese society.

(13) Existing official bilateral and multilateral institutions provide useful venues for engagement with China concerning the rule of law, civil society, respect for internationally recognized human rights, and political institutions that provide humane and effective governance.

(14) American nongovernmental and business organizations, in their various forms of engagement in China, have contributed in that country to the initial emergence of civil society, the strengthening of the legal system, and the expansion of economic autonomy.

SEC. 3. RECOMMENDATIONS FOR IMPLEMENTATION OF UNITED STATES POLICY.

Congress affirms the President's policy and makes the following recommendations for the conduct of United States policy toward China:

(1) The United States should continue a steady and comprehensive policy of pressing for increased Chinese adherence to international norms, especially those concerning internationally recognized human rights.

(2) Of particular concern to the United States are the following:

(A) The accounting and release of political prisoners.

(B) Access to Chinese prisoners by international humanitarian organizations.

(C) Negotiations between the Chinese Government and the Dalai Lama on Tibetan issues.

(3) The official dialogue with the Chinese Government on human rights issues should continue and be intensified.

(4) As he considers appropriate, the President should use other available modes of official interaction with China to pursue initiatives that are relevant to promoting increased respect for human rights in China.

(5) The United States should expand broadcasting to China, through the Voice of America and Radio Free Asia.

(6) The United States should work through available multilateral fora, such as the United Nations Human Rights Commission, to express concerns about human rights in China and to encourage Chinese adherence to, and compliance with, international human rights instruments. At all appropriate times, the United States should work toward and support joint actions to address significant problems. In particular, the United States should seek to secure the participation of other governments in overtures to secure the accounting and release of political prisoners, to encourage access to Chinese prisoners by international humanitarian organizations and negotiations between the Chinese Government and the Dalai Lama.

(7) Where possible, the United States should take further steps to foster in China the rule of law, the creation of a civic society, and the emergence of institutions that provide humane and effective governance.

(8) To better carry out the recommendation in paragraph (7), the Secretary of State should encourage United States posts in China to increase reporting on the human rights situation, the rule of law, civil society, and other political developments in China, and to increase appropriate contacts with domestic nongovernmental organizations.

(9) United States non-governmental organizations should continue and expand activities that encourage the rule of law, the emergence of a civic society, and the creation of institutions that provide humane and effective governance.

(10) When considering the termination of the suspensions of United States Government activities enacted in section 902(a) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, the President should explore whether such terminations could be used to elicit specific steps by the Chinese government to enhance respect for internationally recognized human rights or correct abuses of such rights.

SEC. 4. UNITED STATES GOVERNMENT PROGRAMS SUPPORTING HUMAN RIGHTS IN CHINA.

(a) STATEMENT OF POLICY.—Concerning the promotion of human rights in China, it shall be the policy of the United States to promote the following objectives:

(1) An effective legal system, based on the rule of law.

(2) Respect for internationally recognized human rights.

(3) The emergence of civil society.

(4) The creation of institutions that provide humane and effective governance.

(b) FACTORS.—In determining how to carry out the objectives stated in subsection (a), the President should consider the following factors:

(1) The circumstances under which it is appropriate to provide support to organizations and individuals in China.

(2) The circumstances under which it is appropriate to provide financial support, including through the following means:

(A) Directly by the United States Government.

(B) Through United States nongovernmental organizations which have established a sound record in China.

(3) The extent to which the objectives of subsection (a) should be promoted through exchanges, technical assistance, grants to organizations, and scholarships for advanced study in the United States.

(4) How to assure accountability for funds provided by the United States Government.

(c) AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1995.—

(1) Of the amounts authorized to be appropriated for education and cultural exchange programs of the United States Information Agency for fiscal year 1995, up to $1,000,000 is authorized to be available for programs to carry out the objectives of subsection (a).

(2) In addition to such amounts as may otherwise be made available for broadcasting to China for fiscal year 1995, of the amounts authorized to be appropriated for international broadcasting for fiscal year 1995, an additional $5,000,000 may be used for broadcasting to China.

SEC. 5. INTERNATIONAL HUMANITARIAN ORGANIZATIONS.

It is the sense of Congress that, in the event that international humanitarian organizations undertake activities in China related to the treatment of prisoners, the President should make available an additional contribution to those organizations to support such activities.

SEC. 6. PRINCIPLES TO GOVERN THE ACTIVITIES OF UNITED STATES BUSINESS IN CHINA.

(a) IN GENERAL.—Congress endorses President Clinton's efforts to work with the leaders of the United States business community to develop voluntary principles that could be adapted by United States companies doing business in China to further advance human rights and commends United States companies that have previously adopted such principles or are considering taking such action.

(b) OTHER COUNTRIES.—Congress urges the President to encourage other governments to adopt similar principles to govern the activities of their business organizations with activities in China.

SEC. 7. PERIODIC REPORTS.

Not more than 180 days after the date of the enactment of this Act and annually for the 2 subsequent years, the President shall submit to the Speaker of the House of Representatives and the Chairman of the Committee on Foreign Relations of the Senate, a report (in a classified form in whole or in part as necessary) which reviews for the preceding 12-month period those activities supported by the United States Government to promote the objectives stated in section 4(a).

SEC. 8. COMMISSION ON LAW AND SOCIETY IN CHINA.

The President is authorized to establish a United States commission on law and society in the People's Republic of China to undertake the following responsibilities and such other duties as the President considers appropriate:

(1) To monitor developments in China with respect to the following:

(A) The development of the Chinese legal system.

(B) The emergence of civil society.

(C) The development of institutions that provide humane and effective governance.

(2) To engage in an ad hoc dialogue with Chinese individuals and nongovernmental organizations who have an interest in the subjects indicated in paragraph (1).

(3) To report to the President and to the Congress the commission's findings regarding the subjects identified in paragraph (1) and its discussions with Chinese individuals and organizations concerning those subjects.

(4) To make recommendations to the President on United States policy toward China in promoting the objectives identified in section 4(a).

(5) To assess and report to the President and the Congress on whether the creation of a United States-China Commission on Law and Society would contribute to the objectives identified in section 4(a).

Amend the title to read as follows: "Concerning United States efforts to promote respect for internationally recognized human rights in China.".

The CHAIRMAN. Under the rule, the gentleman from Indiana [Mr. HAMILTON] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

Is the gentleman from New York [Mr. GILMAN] in opposition to the Hamilton amendment?

Mr. GILMAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York [Mr. GILMAN] will be recognized for 15 minutes in opposition.

The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, the question the House faces in consideration of HR 4590, offered by my good friend, the gentlewoman, from California, is not whether human rights should be a central objective of the United States policy toward China. We both agree that it should.

The question is how best to promote all United States interests in China. The choice is clear cut. Do we promote our security, economic and human rights interests in China through engagement, or through confrontation?

The Pelosi bill represents a policy of confrontation. It continues the linkage between trade and human rights, and it will increase tariffs on half of China's exports to the United States.

The Hamilton Amendment endorses a policy of engagement. It is the President's policy. It is a policy of engaging China in a web of cooperation. It delinks China's MFN status from its human rights record, and urges that we pursue our human rights objectives and other important interests through more effective means.

PELOSI APPROACH: COSTS, BUT LITTLE GAIN

Passage of the Pelosi bill would bring heavy costs but few benefits.

First, it would seriously damage U.S. security and political interests. According to Secretary of Defense William Perry, it could have "adverse consequences" for the "nation's security."

If we pass this bill, China could undermine our policy in North Korea, block sanctions resolutions at the United Nations, and increase tensions with Taiwan.

Second, the Pelosi bill would seriously damage U.S. economic interests.

If we denied MFN treatment for half of its exports to the United States, China would surely retaliate against United States exporters. Our exports would plummet. Our trade deficit would soar.

According to Commerce Secretary Ron Brown, the Pelosi bill has "potentially devastating consequences" for our current exports, for our future competitiveness in the Chinese market, and our global competitiveness in key high-tech industries.

Besides jeopardizing current exports to China, the Pelosi bill will endanger follow-on United States exports totalling $12 billion. In telecommunications alone, China will require imports of $3 billion during this decade.

Those are the costs of the Pelosi bill, and they are heavy. In return, we would get little. Human rights would not improve, and probably worsen.

China's leaders would conclude that the goal of U.S. policy was to bring down their regime. They would have no incentive to release political prisoners or negotiate with the Dalai Lama.

Chinese who favor political liberalization would be deprived of the freedoms they have.

Make no mistake about it: those in China seeking more political freedom want the United States to extend MFN, not end it or restrict it.

My amendment differs significantly from the policy of confrontation contained in the Pelosi bill:

The Hamilton alternative reinforces the President's policy, rather than undermines it. The Administration supports the Hamilton amendment and "strongly opposes" the Pelosi approach.

At a time of transition in China, my amendment promotes positive forces for change rather than provoking the negative elements of the Chinese regime.

The Hamilton Amendment protects and promotes all United States interests—security, economic, and human rights interests—in China.

The Hamilton alternative emphasizes a multilateral approach toward human rights in China instead of a go-it-alone approach.

I urge Members to vote for the Hamilton amendment and to support the President's policy toward China.

Members today have a clear choice. But they cannot have it both ways. Some have suggested it is possible to vote for the Pelosi amendment and the Hamilton amendment.

These two approaches cannot be reconciled. We cannot confront China one day and engage China the next. Members have to choose. I believe the choice is clear, and simple.

The Pelosi bill imposes severe costs on the United States, with little or no gain to the national interest.

The President's policy, contained in the Hamilton amendment, advances our national security, our economic well-being, and our interest in human rights. It gives us maximum leverage at a critical time in China.

The Hamilton Amendment:

Emphasizes the importance of human rights as a goal of United States China Policy.

Urges the Administration to work through international organizations such as the United Nations Human Rights Commission to press human rights concerns.

Reallocates existing United States funds for programs to promote human rights in China and for increased international broadcasting to China.

Urges American non-governmental organizations to dedicate more resources to human-rights-related activities in China.

Endorses the President's effort to work with United States businesses to create a voluntary code of conduct to govern business activities in China.

Authorizes the President to establish a United States commission to monitor human rights conditions in China.

Mr. Chairman, I reserve the balance of my time.

Mr. GILMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to H.R. 4891, the substitute amendment introduced late last week by Chairman HAMILTON. I am troubled by the fact that the Foreign Affairs Committee has not had an opportunity to address the issues in the Hamilton bill.

The Hamilton substitute does not refer to the issues raised by the Pelosi bill. It does not concern itself with our Nation's subsidization of the People's Liberation Army. I ask my colleagues, how can we rationalize giving trade benefits to the very same military forces that fought us in Korea and slaughtered the young peaceful protesters in Tiananmen Square?

I ask my colleagues to please consider—does it make any sense whatsoever to assist the only military force in the world that is still targeting the United States with nuclear weapons and is still testing nuclear weapons? The Hamilton bill does not address these problems that are so critical to our national security.

Many of the workers for the Chinese military industrial plants are not even paid. They are prisoners who peacefully protested for democracy and now toil to produce products that are dumped on our markets. The profits go to supporting an offensive Communist military machine that results in our own defense budget allocating resources to contend with this threat. Where is the logic in that equation.

Mr. Chairman, allow me to close by reminding our President of what he said in 1992 about President Bush's policy toward China and I quote:

In China, the President continues to coddle aging rulers with undisguised contempt for democracy, human rights, and the need to control the spread of dangerous technologies. Such forbearance on our part might have been justified during the cold war as a strategic necessity, where China was a counterweight to Soviet power. But it makes no sense to play the China card now, when our opponents have thrown in their hand.

"A Strategy for Foreign Policy." Delivered by Governor Bill Clinton to the Foreign Policy Association, New York, NY, April 1, 1992.

Accordingly, I urge my colleagues to defeat the Hamilton substitute and to support the Pelosi bill.

□ 1750

Mr. Chairman, I reserve the balance of my time.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Chairman, conditioning the annual renewal of MFN on human rights objectives is a foreign policy stick that failed to produce the progress which we all seek from the Communist Chinese Government. This approach, debated in the House every year since 1990, is counterproductive to our goals of fostering the growth of freedom and democracy in that nation.

I welcomed President Clinton's decision on June 2 to extend MFN to China, and to formally delink human rights objectives from the annual extension of MFN. I will vote for the Hamilton substitute, H.R. 4891, because it affirms this policy and expresses my desire for the country to speak in unison on international problems.

In making his announcement, the President said that a policy of engagement gives us the best chance to achieve success in all areas of interest to the United States—human rights, weapons proliferation, and market access for our exports.

We need a strong and coherent policy which does not elevate a single United States interest above the others. We need a policy that is viewed with respect by China, and by our allies with whom we must cooperate if our pressure is to succeed.

I urge a "yes" vote on the Hamilton substitute.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BERMAN], a senior member of the Subcommittee on International Security, International Organizations and Human Rights.

Mr. BERMAN. Mr. Chairman, I rise in opposition to the Hamilton substitute, and in support of H.R. 4590.

I support H.R. 4590 because I believe it will offer moral support at a critical moment to both Chinese dissidents and those arguing for reform within the system. Although I do not expect this legislation to survive a veto and be enacted into law, I believe that a strong vote in its favor today can actually strengthen the President's hand in dealing with the Chinese Government, even as he explores other means for promoting the cause of human rights in China.

By the administration's own account, the human rights situation in China and Tibet remains deplorable. In announcing extension of MFN and delinking MFN from human rights, the President stated that "China continues to commit very serious human rights abuses".

The Secretary of State, in his recommendations to the President, noted that "Despite several significant prisoner releases, many more dissidents were detained, tried and sentenced during a nationwide crackdown on political and religious dissent." The Secretary also noted that new laws were codified which would abridge political and religious rights.

One might conclude from this that, since linking MFN and human rights appeared to be so ineffective, we have little to lose from trying the administration's approach. That would ignore the effect of the administration's mixed messages to the Chinese Government in the weeks and months before the decision. It would also overlook the very real possibility that, if the mere threat of a sanction was insufficient to extract concessions from a hard-line dictatorship intent on calling our bluff, the natural next step might be to actually do what we had threatened to do.

But most important is the obvious evidence of the Chinese Government's behavior in response to the new policy. The human rights situation has deteriorated as an immediate consequence of the President's decision.

On July 14, the first major political trial since 1991 began in Beijing to try 14 persons whom Amnesty International has declared prisoners of conscience. This is the largest joint political trial in many years. The defendants had been in detention for more than 2 years, and the trial had been postponed several times since September 1993.

In Tibet, Phuntsog Yangkyi, a 20-year-old nun, died from injuries sustained after she was severely beaten for singing nationalist songs. Her body was hurriedly cremated against the wishes of her family, making it impossible for them to arrange an independent medical investigation into the cause of death. Phuntsog Gyaltsen, a 36-year-old monk and prisoner of conscience, is reported to be seriously ill as a result of sustained beatings in Drapchi prison in Lhasa. According to unofficial sources, his body has become helpless, and he suffers from liver and stomach ailments. Nevertheless, he is compelled to continue hard labor such as digging, emptying toilets, and cultivating.

Five Tibetans were sentenced recently to 12 to 15 years imprisonment and 4 to 5 years disenfranchisement for nothing more than destroying a name plate on a government building and pasting up proindependence slogans.

What all this suggests is that the delinking of human rights and trade has had a negative effect on the position of reformists within the Chinese Government, and has emboldened the hard-liners. It is difficult under these circumstances to understand the administration's position that conditioning MFN on human rights was the right policy a year ago but is the wrong one now.

Perhaps if we had never threatened to restrict MFN unless the issues of human rights was satisfactorily addressed, I might today be persuaded that the two matters should not be linked. However, to have conditioned a particular privilege on human rights improvements, only to have the Chinese Government defy our concerns about human rights, compels some indication from the United States Government of the seriousness of our resolve to use trade sanctions.

If I felt that the administration is today considering adequate alternative instruments to promote our interest in human rights, I might still be persuaded that we ought not to use trade sanctions. However, I do not believe that adequate means are under consideration, and I see no alternative to the very precisely crafted approach of H.R. 4590.

Let me make clear at the outset that I am all for engagement with that great civilization. I accept that we must acknowledge the global importance of China, and the legitimacy of its people's aspirations to a better life. I also agree that our economic interests in the region suggest that we not fatally burden our trade relationship with China. However, our long-term interests are in siding with the Chinese people in their struggle against one of the most oppressive and violent governments in recent times.

I believe that H.R. 4590 is an intelligent and precise instrument of United States policy in China. It would leave the vast bulk of United States-China trade entirely free to accomplish the economic and political benefits that are claimed for it. While I applaud the President's ban on import of munitions, I believe that to be insufficient. In any case, that was a measure we needed to take to make our streets safer. The voluntary code of conduct for United States businesses, proposed by the administration, can have no effect at all on the behavior of the Chinese Government, and is in any case opposed by United States business.

H.R. 4590 would target for trade sanctions precisely those Chinese exports to the United States which bolster the Chinese Government's capacity to repress its citizens and build up the

strength of the military and the state. I have reviewed the administration's arguments against this modest approach, and I am not persuaded by them.

The administration suggests that it is extremely difficult to assess exactly what products are covered by the act, but then proceeds to suggest that it estimates that the value of goods covered by the act would be $17 billion. I fail to understand how this estimate is arrived at if indeed there is such great doubt about the goods covered.

In fact, the goods to be covered are quite specific, and procedures are provided for determining them. Products made by the Chinese armed forces or their subsidiaries, as determined by the Secretary of the Treasury, and specified classes of goods from a U.S. Tariff Schedule which are provided by State Owned Enterprises, also determined by the Secretary of the Treasury. While the administration argues the worst case that almost any company that received subsidized inputs could be defined as a state owned, H.R. 4590 provides a clear exception for collective, cooperative, private or foreign enterprises.

Most significant of all is the provision of H.R. 4590 which allows the President to waive any restriction that he determines would have a serious adverse effect on the vital national security interests of the United States. Thus, the legislation would not hobble our Nation's capacity to pursue other aspects of our relationship with China.

Even were the Chinese Government to engage in fraud to evade the restrictions, we already have in place instruments and procedures for determining the origin of goods, for purposes of trade law enforcement.

Reliable estimates of the value of defined types of imports suggest that approximately goods worth about $5 billion would be subject to higher tariffs. Given the fact that China would still have a trade surplus of approximately $20 billion with the United States, it defies credibility to suggest that they would retaliate against United States businesses, risk counter-retaliation, and kill the goose that lays the golden egg.

Even if the goods at stake were worth the $17 billion inaccurately estimate by the administration, we would still the only major nation running a substantial trade deficit with China. I must note that the United States buys 40 percent of Chinese exports, while China buys 2 percent of United States exports. Which nation depends more on this trade relationship?

I believe that the approach of the substitute, which reflects the administration's policy, towards the promotion of human rights, is an ineffective instrument.

The only substantive provision of the substitute relate to educational and cultural exchange programs of the United States Information Agency [USIA], broadcasting, and the Commission on Law and Society in China. The provision on USIA programs makes no new money available, and adds nothing to the President's existing authority to use existing funds for programs in China. The same is true of the broadcasting provision; whatever additional money was used for broadcasting to China would be at the expense of an already insufficient broadcasting budget. The Commission is a fine idea, although it is unclear how much force a private commission can add to the bilateral dialogue on human rights.

Moreover, even a significantly expanded broadcasting capacity, while important as one instrument of policy among many, cannot be relied on too greatly. It is noteworthy that in noting improvements justifying the extension of MFN, the President pointed to Chinese cooperation on jamming of United States broadcasts. Recent developments suggest that hope was ill-founded and that the Chinese Government remains as intransigent as ever.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, as President Clinton stated in May, conditioning trade as a policy tool has outlived its usefulness—particularly in our China policy. Instead, we must recognize—as this amendment does—that United States policies that engage China and promote economic liberalization, greater international trade, and increased contact with the West are the policies that contribute to civil and political reform in China.

Our bill affirms those beliefs and does not condition trade with China on specific actions by the Chinese Government. It sets forth a policy supporting human rights in China as a key United States foreign policy objective, but which does not undermine our national security and economic interests in China and the rest of Asia.

This debate is not about deals versus ideals. It is not about principle over profit. This debate is about constructing a United States foreign policy towards China and all of Asia that meets the diverse interests of the American and Chinese people.

We all agree on the importance of promoting respect for human rights in China. U.S. foreign policy must be based on deeply held moral and political convictions that derive from 200 years of experience with American democracy and over 2,000 years of Western civilization and Judeo-Christian values. Such values are now nearly universally accepted, regardless of a nation's religious faith or culture.

However, we should not use trade sanctions when sanctions will not achieve our interpretation of human rights in China and when the trade sanctions only hurt the very Chinese people we are trying to help. But do not listen to me, listen to what ordinary Chinese citizens are saying to the New York Times Beijing bureau chief. He says:

> Talk to Chinese peasants, workers, and intellectuals and on one subject you get virtual unaniminity: Don't curb trade.

For this reason, I encourage Members to vote yes on H.R. 4891.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Chairman, let me just stipulate that there are good and decent Members on both sides, and I believe that very deeply. And they both share the same goal.

Let me just say, as I was thinking, siting out there, what would we be doing in the Congress today if we were debating MFN in 1933 for Germany? What would we be doing?

We went back and got some telegrams and memos from Cordell Hull. On March 3, 1993, Cordell Hull reveals he had received reports that the entire Jewish population was "living under the shadow of a campaign of murder" scheduled to begin in a few days, but he "paid no credence to them."

The second cablegram, March 21, 1933, although the State Department admits the United States press was reporting widespread mistreatment of Jews in Germany, "telegrams thus far received from the embassy do not appear to bear out the gravity of the situation."

March 24, 1933, despite receiving pleas to take up the issue of the German Government, Cordell Hull was "of the opinion that outside intercession rarely produced the results desired and that frequently aggravated the situation."

I am enclosing for the RECORD those cables and also the New York Times article that said, in it, he stated, "in the opinion of the embassy, stabilization has been reached in the field of personal mistreatment, and there are indications that in other phases, the situation is improving."

□ 1800

Mr. Chairman, we all know what happened after that.

Please understand that I am not suggesting that the People's Republic of China in the 1994 version of the genocidal Nazi Germany. But as in the 1930's, when there was an unwillingness to believe the human rights violations could be occurring, I fear the world today may be naively turning away from the ongoing brutal repression in the PRC. The world should not be silent in 1994 as it was 1933.

If this bill fails, the issue of MFN for China may never come up again. The Chinese people will continue to be thrown into prison because if they dare to think independently, the Chinese

military will continue to defy international pressure to improve its behavior, the Chinese martyrs will continue to believe that no one is there to comfort them, and the memories of Tiananmen will continue to fade.

Mr. Chairman, I must say that my sense is that many of the businesses, although they are good businesses, will no longer speak out. I really have not heard of the business community, which I generally support in this speaking out on this issue. In fact, I have been getting cablegrams from our intelligence agencies that have been saying the business communities have been very silent when they meet with the Chinese Government.

Mr. Chairman, I would urge my colleagues to support this, and hope that whatever we do, we will be vigilant on this issue from here on into the future.

Mr. Chairman, I include for the RECORD copies of telegrams and articles describing the situation regarding Jewish persecution in Germany:

DEPARTMENT OF STATE,
Washington, March 3, 1933.

The following appeared as an ASSOCIATED PRESS dispatch from London today in the PUBLIC LEDGER, Philadelphia:

"London Daily Herald said today plans were complete for Anti-Jewish program in Germany on a scale as terrible as any instance Jewish persecution in two thousand years."

The paper ascribed its information to "high source" and "whole Jewish population of Germany totaling six hundred thousand is living under shadow of a campaign of murder which may be initiated within a few hours and cannot be postponed for more than a few days".

While this Government is disinclined to lend credence to this report, it is causing widespread distress among a large section of the American people. You may, in your discretion, talk the matter over with the German Government and acquaint them with the apprehension and distress that is being felt here.

DEPARTMENT OF STATE,
Washington, March 21, 1933.

Press reports indicating widespread mistreatment of Jews in Germany, are causing deep concern and even alarm to a large section of our population. This is showing itself not only in press comment, but in a series of meetings and conferences, the most important of which is to be a mass meeting scheduled in New York for March 27. A delegation of important Jewish leaders called at the Department this afternoon.

Telegrams thus far received from the Embassy would not appear to bear out the gravity of the situation reported above. It is important, however, for us to have an exact picture of what is taking place. Please therefore telegraph us the facts as you see them, after consulting the principal Consulates, by telephone if necessary, with a view to ascertaining the situation throughout different parts of the country.

DEPARTMENT OF STATE,
Washington, DC, March 24, 1933.

Public opinion in this country continues alarmed at the persistent press reports of mistreatment of Jews in Germany. We are under heavy pressure to make representations in their behalf to the German Government. I am of the opinion that outside intercession has rarely produced the results desired and has frequently aggravated the situation. Nevertheless if you perceive any way in which this Government could usefully be of assistance, I should appreciate your frank and confidential advice. On Monday next there is to be held in New York a monster mass meeting. If prior to that date an amelioration in the situation has taken place, which you could report in form susceptible of release to the press, together with public assurances by Hitler and other leaders, it would have a calming effect.

[From the New York Times, Mar. 27, 1933]

NAZIS END ATTACKS ON JEWS IN REICH, OUR EMBASSY FINDS

WASHINGTON, March 26.—Mistreatment of Jews in Germany has virtually ceased, according to Secretary of State Hull, who conveyed this information today in telegrams to Dr. Cyrus Adler of Philadlphia and Rabbi Stephen S. Wise of New York, who came to Washington last week to protest against German treatment of Jews.

Mr. Hull said Germans felt that such a far-reaching political readjustment could not have taken place without some delay in reaching a state of equilibrium. The situation was improving, he asserted, largely as the result of demands for discipline by Chancellor Hitler and also the reiteration by Vice Chancellor von Papen of the necessity for a cessation of individual depredations.

The Secretary of State will continue to watch the situation, he said, but felt hopeful that conditions would soon become normal.

Secretary Hull's telegram to Rabbi Wise and Dr. Adler follows:

You will remember that at the time of your recent call at the department I informed you that, in view of numerous press statements indicating widespread mistreatment of the Jews in Germany, I would request the American Embassy at Berlin in consultation with the principal consulates in Germany to investigate the situation and submit a report.

A reply has now been received indicating that whereas there was for a short time considerable physical mistreatment of Jews, this phase may be considered virtually terminated. There was also some picketing of Jewish merchandising stores and instances of professional discrimination. These manifestations were viewed with serious concern by the German Government.

Hitler, in his capacity as leader of the Nazi party, issued an order calling upon his followers to maintain law and order, to avoid molesting foreigners, disrupting trade, and to avoid the creation of possibly embarrassing international incidents.

Later, von Papen delivered a speech at Breslau in which he not only reiterated Hitler's appeals for discipline but abjured the victors of the last election not to spoil their triumph by unworthy acts of revenge and violence which could only bring discredit upon the new regime in foreign countries. As a result, the embassy reports that the authority of the regular police has been reinforced.

The feeling has been widespread in Germany that following so far-reaching a political readjustment as has recently taken place, some time must elapse before a state of equilibrium could be re-established. In the opinion of the embassy, such a stabilization appears to have been reached in the field of personal mistreatment, and there are indications that in other phases the situation is improving.

I feel hopeful, in view of the reported attitude of high German officials and the evidences of amelioration already indicated, that the situation, which has caused such widespread concern throughout this country, will soon revert to normal. Meanwhile, I shall continue to watch the situation closely, with a sympathetic interest and with a desire to be helpful in whatever way possible.

CORDELL HULL,
Secretary of State.

LEADERS REPLY TO HULL

The American Jewish Congress, through its officers, announced last night that the organization had replied to Secretary Hull's telegram. The text of the reply was as follows:

In the name of the American Jewish Congress we wish to thank you for your prompt report on the situation in Germany, which confirms our fears that there has been "considerable physical mistreatment of Jews, picketing of Jewish merchandising stores, and instances of professional discrimination."

The American Jewish Congress notes your statement that Hitler "has issued an order calling upon his followers to maintain law and order, to avoid molesting foreigners, disrupting trade and to avoid the creation of possibly embarrassing international incidents."

We are deeply grateful for your assurances that you will continue to watch the situation closely with a sympathetic interest. For we feel that, in view of the official program of the Nazi party and its record of thirteen years disseminating hatred against the Jewish people, the Jews of Germany are in great and imminent jeopardy of life and property, of civil rights and religious liberty. Until the status of the Jewish citizens of Germany is safeguarded and the position of the non-national Jews is secured, the enlightened opinion of America must watch with profoundest anxiety the development of events in Germany.

May we repeat what we emphasized in the course of our visit to the State Department, namely, that we are moved by no feeling of unfriendliness or ill will to the German nation. Our concern is for the security of the Jews of Germany and the safeguarding of their human and political rights.

STEPHEN S. WISE,
Honorary President.
BERNARD S. DEUTSCH,
President.
The American Jewish Congress.

NEURATH DENIES RUMORS

BERLIN, March 26.—Foreign Minister Constantine von Neurath, ordinarily the Hitler Cabinet's silent man who seldom receives journalists, broke his silence today to throw the entire weight of his internationally known personality against what he considers "the deliberate, sudden rebirth of the vilification campaign conducted during the World War against the German Government."

Speaking quietly, but with an inner emotion that even his composed attitude of a man of the world could not hide, he declared:

"It is my duty, both because I must defend the honor of my people and because I am a responsible statesman, to warn the world against permitting the baneful spirit of calumny in vogue during the war to flare up again."

To a general question regarding the Federal Government's attitude toward news published in the foreign press or alleged acts of

terror committed against different-minded persons, and especially Jews, Baron von Neurath replied:

"Even the best organized administrative apparatus would not suffice to go to the bottom of each and every one of these malicious false reports and deny them.

"I find no other explanation for the present propaganda unloosed against the German Government than to consider it a deliberate, sudden rebirth of the vilification campaign conducted during the World War.

"Just as Belgian atrocity stories then mentioned chopped-off children's arms, so there is talk today of allegedly gouged eyes and cut-off ears. One would really think that the foreign public, which meanwhile realized the untruth of the World War atrocity stories, would not so easily again be deceived by a new dishing-up of similar fairy tales.

SOCIALISTS FOUND UNINJURED

"How absurd such propaganda is you yourself experienced Tuesday. That very morning you could read of unbelievable atrocities committed on Messrs. Breitscheld and Wels, but in the afternoon you had the opportunity with your own eyes to see these two gentlemen participate in the Reichstag session. [Dr. Rudolf Breitscheld and Otto Wels are Socialist members of the Reichstag.]

"It would seem to me that this one reference renders unnecessary my dwelling on other details.

"If at the beginning of the national revolution certain excesses may have been committed by isolated individuals, then that is certainly regrettable. At the same time it must be said that never in history did a revolutionary upheaval occur like that which now is completed in Germany without an accompaniment of certain hardships.

"According to my opinion, the German people gave proof of their tremendous innate discipline by the fact that such arbitrary individual acts took place only in a few cases, and even then only in comparatively mild form.

"You will yourself have noticed that the energetic appeals by the Reich's Chancellor and Minister Goering, who several days ago decreed severest penalties for such like arbitrary acts by individuals, were thoroughly and unqualifiedly successful and that no more cases of unauthorized procedure became known.

"As concerns Jews, I can only say that their propagandists abroad are rendering their co-religionists in Germany no service by giving the German public, through their distorted and untruthful news about persecution and torture of Jews, the impression that they actually halt at nothing, not even at lies and calumny, to fight the present German Government.

"Why, even a prominent Jewish banker told one of your American colleagues, 'We reject all foreign interference. German Jews are hemen enough to help ourselves.'

"Actually, every visitor must agree that when he walks through the streets of Berlin even today he encounters Jews, poor as well as elegantly dressed, who are attending their business. Nobody has harmed them.

SAYS PRESS WAS DUPED

"It is most regrettable that not only the yellow press but even some papers of the highest standing have permitted themselves to be duped by this propaganda. For instance, a big American sheet wrote several days ago that foreign correspondents must submit their reports to a censor. You must admit this was not the case.

"In those few instances where telegraph authorities, on the basis of an international treaty, held up reports of foreign correspondents, their news items were either untrue or so distorted that their publication indubitably had to be considered dangerous to the State.

"That in times like these steps were taken against them can be considered by nobody who thinks impartially as an arbitrary interference with the freedom of the press. Amicable relations between peoples are not served if the press degrades itself to an organ for irresponsible, malicious rumor mongering.

"When, therefore, in this very frank talk I have spoken so sharply against this sort of propaganda by the foreign press, I did it not only because I must defend the honor of my people but because as a responsible statesman I also have the duty to warn the world against permitting the baneful war-time spirit of vilification to flare up again."

Mr. HAMILTON. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Chairman, I rise in support of the Hamilton substitute.

Mr. Chairman, this is not a debate about whether or not the United States should promote human rights in China. Of course we should.

We have a moral obligation to promote human rights in China. To turn our backs on more than a billion Chinese people would be to deny our own heritage and to dash the hopes of people around the world who have looked to the United States for inspiration.

Our own interests also demand that we promote human rights in China. One in every five human beings on the face of the Earth is Chinese, and the course of human rights in that nation will have a profound effect on the rest of East Asia and indeed the world.

This debate is about the best way to promote human rights in China. I readily admit that flexing our economic muscles by hitting the Chinese with immediate penalties is tempting. I have succumbed to that temptation in the past.

But the satisfaction of slapping economic sanctions on the Chinese is likely to be transitory. The blunt reality is that the Chinese Government will respond by throwing up greater defenses rather than by giving in to outside pressure. In the end, we could punish American consumers, workers, and businesses without helping Chinese citizens.

There is a better way—and it is already working. The greatest weapon in our democratic, free market arsenal is the example we set. By increasing our economic activity in China, we will be allowing the Chinese population to see firsthand how our system functions.

American companies operating in China are already providing educational, health care, housing and other benefits to Chinese employees. What better way to build a movement toward a Western-style economy and political system among Chinese citizens?

Those American initiatives, still in their infancy, will grow if our economic relations with China are allowed to grow. The result will be expansion of American businesses, more American jobs, a better deal for American consumers, and an example that the Chinese will not be able to ignore.

If, on the other hand, we try to use trade to solve a problem that it cannot solve, everyone will lose. We should not encourage Chinese Government hardliners to crack down further to protect themselves. And we should not allow our competitors in Europe and especially Japan to expand unchallenged in the largest market in the world.

Mr. Chairman, the time has come to replace a policy that will not work with one that will. The time has come to reach out to the Chinese people directly. Let us show some confidence in the power of our own system.

I urge my colleagues to support the Hamilton substitute and oppose the Pelosi substitute.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. LIGHTFOOT].

Mr. LIGHTFOOT. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the Hamilton amendment. I had prepared a substitute amendment of my own which I was prepared to offer today. However, I am pleased to say that Mr. HAMILTON has incorporated into his amendment the main features of my proposal as well as those of other Republican Members.

My substitute emphasized three principles which are now embodied in the Hamilton substitute. First, seeking areas where we can work to improve democracy in China right now. They include village reform, rule of law, and corruption. Second, expanding discussions with China on economic and trade issues. Finally, working with nongovernmental and multilateral organizations to raise the level of international concern about human rights in China.

The Hamilton amendment gives this House the opportunity to demonstrate a commitment to human rights and democracy in China that does not have to resort to the tired, failed policy of constant confrontation.

Mr. Chairman, no one in the House disagrees on the problems in China. Its human rights violations and predatory trade practices are well documented. Where we all appear to honestly disagree is in the approach we should take toward our goals in China

I give Bill Clinton a lot of credit for his May 26, 1994, decision to renew most-favored-nation status for China and end its linkage with human rights.

His decision recognized the fact that American policy toward China must be viewed within the context of many different issues and his decision provided a direction to address human rights and the other issues which divide our two countries.

It is unfortunate the media decided to portray the President's decision as a victory for "business over human rights." It is just not that simple. Human rights should continue as an important aspect of our policy toward China. But I also think we need to end

this annual brinksmanship on MFN renewal.

A large number of House Members share that view. In May, 104 House colleagues joined JIM MCDERMOTT and me in a letter to President Clinton supporting unconditional renewal of MFN to China and urging the President to consider the creation of a bilateral human rights commission with China.

The Pelosi approach and the Hamilton approach are not complementary. The Pelosi approach proposes to sanction the Chinese but in a way that is both unworkable and detrimental to our efforts to enforce NAFTA and maintain our borders.

The Hamilton amendment takes a long-term, realistic approach. It is not a policy which seeks immediate gratification, but it is a policy which will achieve results.

I urge House Members to join us in this new direction by supporting the Hamilton amendment.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I have heard a lot of Members stand up on this floor and say that this is a matter of economic benefit for the United States. Let me remind my colleagues, to start our with, we are not talking about a $30 billion trade surplus for our workers. That would mean that we would be employing about 750,000 more workers with respect to trade than the other side. We are talking about a $30 billion trade deficit with China. That means if we talk about 25,000 jobs per billion dollars of economic activity, we have a jobs deficit with China, a jobs deficit which, if eradicated, would mean some $750,000 jobs for American workers.

Mr. DREIER. Mr. Chairman, will the gentleman yield on that point?

Mr. HUNTER. Mr. Chairman, I am not going to yield to the gentleman at this time. I am happy to meet with him in debate later.

Mr. Chairman, let me remind my friends, we are talking about 750,000 jobs that Americans could have if we did not have that deficit, Mr. Chairman. However, let us go to the heart of this issue. The heart of this issue is principle. An American President and an American candidate for the Presidency laid down a set of standards for the Chinese Government to follow, to hold the Chinese Government up to, and those standards we told them in no uncertain words would determine whether or not we would give MFN status to that government.

They have failed to meet the standard. The credibility of American foreign policy will be on the line if we go ahead and give them this status in light of their failure, and we are going to see failures around the world with other countries in exactly the same situation if we do not discipline ourselves to hold ourselves to the standard that we set.

Mr. Chairman, it has been said that if we give up this principle, in this case, we are going to get an economic benefit. I quarrel with that, but I think that any nation that gives up its principles to get a perceived economic benefit is going to end up with neither.

Mr. HAMILTON. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Chairman, I thank my friend, the gentleman from Indiana, for yielding time to me.

Mr. Chairman, I rise in very strong support of the Hamilton amendment. When President Clinton announced his comprehensive China policy on May 26, he set forth a clear strategy to achieve the goal that we all share.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. DREIER. I am pleased to yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, will the gentleman yield on my point that we have about a 750,000 job deficit on China? Maybe he would like to respond to that.

Mr. DREIER. Mr. Chairman, if I could reclaim my time, what I was trying to ask my friend is would he claim that those 750,000 jobs would all be right here in the United States? They would not be in other countries, in Indochina, they would not be in Latin America?

Mr. Chairman, the fact of the matter is that they would be.

Mr. HUNTER. Mr. Chairman, if the gentleman will let me answer, yes.

Mr. DREIER. Mr. Chairman, if the gentleman would make a claim that that trade imbalance is all of a sudden going to create a tremendous number of jobs here in the United States, that is a tremendous amount of baloney.

Mr. HUNTER. Mr. Chairman, my answer is yes, if we had a well-reasoned trade policy, those jobs would be in the United States, and this vast ocean of people who are on welfare in the United States, those people would have jobs.

Mr. DREIER. Reclaiming my time, Mr. Chairman, it is absolutely ludicrous to believe that we in the United States would be creating or manufacturing the kinds of goods that are created in China and other low-wage countries, because American workers are not going to be doing them. That is why this whole argument of this trade imbalance is absolutely ludicrous.

Mr. HUNTER. If the gentleman will yield, Americans have the right to buy from whoever they want to, if Americans want to buy from them.

Mr. DREIER. I am happy to further yield to the gentleman from California.

Mr. HUNTER. If they have that particular policy, yes, those 750,000 jobs that we are now in deficit to Red China on could be American jobs, my answer is yes.

Mr. DREIER. Mr. Chairman if I could reclaim my time, the gentleman is absolutely wrong, but I thank him for his very helpful contribution.

Mr. Chairman, I rise in support of the Hamilton amendment.

When President Clinton announced his comprehensive China policy on May 26, he set forth a clear strategy to achieve the goal we all share—to foster better human rights in China.

The Hamilton amendment incorporates that comprehensive strategy. It is unquestionably the best, most humane, most effective human rights policy.

We face a choice between feeling good, and doing good. Trade sanctions make us feel better, but they hurt the very people we want to help.

The Hamilton amendment will focus diplomatic resources on improving human rights in China. In addition, it will encourage the continued development of a market economy in China—the real hope for democracy and human rights.

Nicholas Kristoff, NY Times Beijing bureau chief, reported in May that if you talk to "Chinese peasants, workers and intellectuals, on one subject you get virtual unaniminity: Don't curb trade."

Those same peasants, workers and intellectuals would add: "Support the Hamilton amendment."

Mr. GILMAN. Mr. Chairman, I am pleased to yield the remainder of my time, 4½ minutes, to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman from New York, the ranking member of the Committee on Foreign Affairs, for yielding this time to me.

Mr. Chairman, I rise in opposition to the Hamilton resolution. Before speaking in opposition to it, however, I want to correct some representations that were made about my legislation on this floor.

Mr. Chairman, first of all, in the remarks of the gentleman from Indiana [Mr. HAMILTON], Mr. Hamilton said some damning remarks from Secretary of Commerce Ron Brown, saying that if we issued these sanctions against China terrible things would happen, both political and economic.

Mr. Chairman, the fact is that if we carry that to the next step, we are saying that we, the United States of America, cannot issue sanctions against China for trade violations as well. Right now we are giving China until the end of the year to deal with the gross violations and piracy of our intellectual property. If they do not comply, we in the United States will issue sanctions.

Mr. Chairman, is the message that the gentleman from Indiana [Mr. HAMILTON] and the Secretary of Commerce

are making, is the message that they want to go forward that we will never issue sanctions for fear of retaliation, both political and economic? I certainly hope not.

However, Mr. Chairman, if it applies to intellectual property, it should apply in terms of human rights. If we can apply sanctions in one case for intellectual property, we should be able to apply them to intellectuals who are under arrest for professing their religious and political beliefs.

In addition to that, Mr. Chairman, I want to correct misrepresentations that our bill is not implementable, and that the Comptroller of the Customs Office is incapable of figuring out what companies are fronts for the People's Liberation Army and the Chinese industrial companies.

In fact, Mr. Chairman, the Chinese military advertises. They send out catalogs. It would take a 7-year-old who knows how to read to know what many, many, many of the companies are. I have them here for Members' review. It would take too much time to go through all of the names of their export commodities and the companies that would be easy for the Comptroller of the Customs to identify.

□ 1810

In turn if this bill is implemented, the tens of millions of dollars that it would reap could go into customs for them to be able to control the customs, because clearly they are having a problem now. The Chinese have bribed, and the customs officer was convicted, of receiving over $1 million in bribes from the Chinese Communist government.

Mr. Chairman, we have the names of the Chinese military industrial companies. The Defense Intelligence Agency produced a chart and the software to determine who these companies are. We did not issue this sanction frivolously, or put this in this legislation frivolously. Others have said it could apply to $18 billion. The legislation clearly uses the figure of $5 billion, ⅛ of the products coming in from China to the United States.

Mr. Chairman, fair is fair. Let us debate the issue. What priority do we give human rights in the scheme of things? How related to the fate of American workers are the human rights of others abroad? As I have said before, if countries repress their workers' rights, they will repress their workers' wages, putting our workers in unfair competition.

I can assure Members that if the Hamilton amendment prevails today, in 2 or 3 years the United States will have a trade deficit with China which will surpass our trade deficit with Japan.

Mr. Chairman, think about where we go from here. With all due respect to the distinguished chairman of the Committee on Foreign Affairs, his legislation is nothing, it does nothing, and if that is what Members want to vote for, then I understand that. But let us not represent that it is part of any comprehensive China policy.

It is what it is, it says that we are going to give money to human rights groups in China?

People who speak out for human rights in China are in jail in China. As I said earlier, the last person who met with a U.S. representative of our Government, Wei Jingsheng, has not been seen since. He is under arrest and being discredited by the Chinese regime.

Let me talk again about some other points. They talk about putting up to $5 million in Voice of America. Congress has already passed them by on this. We voted 318 votes in support of $10 million for Radio Free Asia, over the objections of the administration. The administration had said on the day of President Clinton's announcement that Radio Free Asia was going to be a priority of the administration. When the vote came to the floor, they said, "We have other priorities."

Mr. Chairman, we have been down this road. The bill does very little. If Members want to do nothing, vote for Hamilton. If Members want to take a tax break from the Chinese military, vote for Pelosi.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Chairman, this is one of the more difficult foreign policy issues the country and this Congress will face, difficult because perhaps the sentimental vote would be to vote for heavier economic sanctions. But after careful deliberation on the merits, and I have given this a great deal of thought, I do not see how we can isolate 1 billion people with economic sanctions. We cannot shut them out of the world economic or political community. We certainly cannot do it alone, and we will not do it alone. We will more effectively open up China and move that society toward openness through trade, integrating China into the world economic community.

In the aviation sector alone, the United States has considerable access to this market. Last year one out of every seven aircraft Boeing produced was sold and delivered to China. The estimates are that China will need $40 billion in new aircraft by the year 2010. Mr. Chairman, 45,000 American jobs have been generated from our aerospace industry trade with China.

I think the way to continue opening up China is through trade that opens doors rather than closes them.

Mr. HAMILTON. Mr. Chairman, to close the debate, I yield my remaining time to the gentleman from Washington [Mr. FOLEY], the distinguished Speaker of the House.

The CHAIRMAN. The distinguished Speaker is recognized for 4 minutes to close the debate.

Mr. FOLEY. Mr. Chairman, I rise in support of the Hamilton substitute to H.R. 4590. I believe we must improve human rights in China while at the same time preserving our common interests with China. The President's executive order on MFN for China is a good one, and the substitute reinforces the President's policy.

I want to commend my colleagues for their serious and obviously very sincere attention to this important and understandably emotional issue. I want to particularly pay credit to the gentleman from New York and the gentlewoman from California who have such deep personal concerns and an abiding commitment to their belief of what is right in supporting human rights in China.

This debate has been grounded in principles and convictions, and I think that makes it a good and important debate, but I believe, Mr. Chairman, that it is especially important for us to support the broad foreign policy interests of the United States as well as supporting human rights.

The President of the United States has been criticized in some quarters for an inconsistent or vacillating foreign policy, but he faces, as all Presidents do, difficult and sometimes almost intractable problems. Certainly the most important and difficult problem we face today internationally is the potential problem of confrontation with North Korea, and here the support and assistance of China has been essential in moving forward to develop an international consensus of how to deal with this serious and potentially destructive problem.

In addition, on issue after issue, China as a member of the Security Council is in a position to be of assistance in the orderly resolution of international concerns and problems, and we have had time and time again—from the Gulf war until recent days—the evidence of China's willingness to be cooperative. But that can change. We need not jeopardize our relationship with China in order to support human rights.

The question is not whether we will support other issues, such as the issues of our interest in expanding trade and in reaching solutions with China on missile technology and proliferation as well as human rights. We do not have to sacrifice a lack of concern and a lack of influence with respect to China on human rights in order to obtain other objectives in our relationship.

Mr. Chairman, I do not believe that sanctions against trade will add to the protection of human rights in China. The fundamental problem is that it is by expansion rather than by retraction of trade that we are most likely to influence the Chinese in a positive direction toward the respect of human rights.

What is our influence going to be if we were to take the draconian action

of cutting or even severely restricting trade? Our word, our influence, our position , the position of our citizens will be less important in China than it will be if trade is expanded. If we give the ordinary Chinese worker and businessperson the opportunity to share in expanded trade, all of our recent experience has indicated that that rising economic interest, that expansion of trade, has broken down political resistance and restrictions on human rights in country after country.

□ 1820

Our experience in Eastern Europe and the Soviet Union, virtually everywhere, has been that where there has been expanding economic opportunity, there has been a greater respect for human rights.

So the choice today is not between throwing away the interests and concerns that we rightfully have to advance human rights in China, but to do it in a way that is compatible with our other interests and concerns. We can do both. That is why the voluntary code of conduct embraced and applied by American business is such a good idea. That is why the Hamilton substitute is such a wise and I think important alternative today in this debate. Expanded trade will, I believe, take hold on fertile soil. The Chinese are yearning to participate in a broader economic opportunity. By expanding trade we will give ourselves the best change to influence them, their government, and their people toward expanded human rights.

I urge the support of the Hamilton substitute. It is the right time, the right policy; it is the right strategy for our long-term goals and to maintain our essential relationships with China and advance, not restrict, the human rights movement in China so important to this debate and to all of us.

Mr. FRANKS of Connecticut. Mr. Chairman, I rise today in reluctant opposition to the Solomon and Pelosi measures which disapprove the extension of most-favored-nation status to the Peoples Republic of China. In the past, I have traditionally supported the legislation before us today. While I am still very concerned about human rights abuse in China, I am no longer convinced that revoking MFN status provides the correct answer. In fact, the termination of MFN may lead to a substantial deterioration of human rights in the Peoples Republic of China.

I certainly have strong reservations about granting MFN status to any nation that exhibits the current practices of the Chinese Government. However, I believe we can better improve the situation in China by exposing the Chinese people to free market principles and Western ideals. Historically, the Chinese have reacted negatively to isolationism.

Revoking MFN, in my opinion, would be counter productive from a human rights standpoint. Economic sanctions would harm the emerging Chinese private sector. Sanctions would serve to weaken those individuals in China who are championing the cause of economic and political freedom.

The United States currently has substantial economic interests in China. The United States currently exports about $10 billion in United States goods and services to the People's Republic of China. Revoking MFN status would seriously jeopardize one of the fastest growing export markets for United States manufactured goods. An export State like Connecticut would be devastated by passage of this legislation.

It is important to view United States-China relations from a national security standpoint. China is a permanent member of the U.N. Security Council and a very influential member of the international community. I believe that maintaining strong relations with the Chinese Government is in the best interest of the United States.

Again, I have come to the conclusion that increased trade and the continued presence of Western business is the best way to bring about reform. Many of my colleagues will try to suggest that supporting MFN for China represents opposition to human rights. As a strong advocate of human rights, I want to say that nothing could be further from the truth. There is not one Member of Congress that would not like to see an end to the human rights abuses in China.

Since I have been on the other side of the fence on this issue, I certainly understand the arguments and rationale of the other side. However, after carefully reviewing this issue, I believe that promoting capitalism offers the Chinese people the best prospect for freedom.

In closing, I urge my colleagues to make the rough vote and do what is best for the Chinese people. Support the Hamilton substitute and oppose the Solomon and Pelosi resolutions.

Mrs. LLOYD. Mr. Chairman, I rise today in support of the Hamilton amendment to H.R. 4590 which would reinforce the President's decision to de-link human rights with most-favored-nation status for the People's Republic of China.

Human rights violations in China and other developing nations have always concerned me. The citizens of the PRC face some of the most oppressive conditions in the world. Freedom of thought, expression, association, and religion are rights on which this country was founded, and rights which the Chinese still hope to achieve. Many of my colleagues have argued that such blatant abuses of human rights warrant the removal of MFN status.

In fact, in the past I have voted against extension of MFN for China for these same reasons. However, as I have studied the issue more closely over the past year and consulted with many of my colleagues in Congress and academia, I have reconsidered my opposition.

Since the Chinese Government enacted economic reforms in 1979, the PRC has begun an incredible transition. Premier Deng Xiaoping could not have imagined that in 1994 he would be presiding over the fastest growing economy in the world.

As the Chinese people continue to gain affluence, I believe the Communist government will have a much more difficult time suppressing the desire for basic human rights. As history has shown, ideas follow trade. I believe economic and political engagement is the best course to promote democratic ideals, rather than by withdrawing our growing presence in China.

The Hamilton alternative offers a realistic, multilateral means of promoting human rights, such as working through forums like the U.N. Human Rights Commission, rather than actions like economic sanctions which will be counterproductive. It also preserves the broad range of security, diplomatic, and economic interests that we share with China, rather than provoking the Chinese Government into retaliation against United States companies doing business there.

Trade in China is a very difficult issue. However, as we attempt to settle this issue once and for all, Congress must carefully balance the interests of United States businesses which seek to take advantage of the enormous Chinese market with the desire to improve human rights in the world's most populous nation. I believe the Hamilton amendment strikes that balance.

Mr. BALLENGER. Mr. Chairman, I rise in support of continuing most-favored-nation [MFN] trade status with China. I, therefore, oppose any legislation that attempts to overturn the President's decision to extend MFN status or that places economic sanctions on China.

However, we should not remove the issue of human rights from the picture. We must continue to pursue human rights as an important foreign policy objective and implement new initiatives to strengthen the current focus. We must continue to engage the Chinese actively on human rights on a broad front through diplomatic, multilateral and nongovernmental means. These contacts, combined with aggressive efforts to promote human rights, are more likely to encourage constructive change in China.

I firmly believe that the United States can do more to advance the cause of human rights and protect other American interests if we engage the Chinese in political and economic cooperation and contacts. Social freedoms are a direct result of economic liberalization. However, by placing restrictions on or removing all of China's trade privileges, we are isolating that country will lose any chance of improving human rights in China.

Perhaps as much as $17 billion in United States imports from China might be affected by removing MFN privileges. Retaliation by China would place at risk the approximately $9 billion in annual United States exports to China, as well as nearly 180,000 United States jobs. This would in turn greatly affect the U.S. economy. In the end, punishing China would be counterproductive from all perspectives.

I am supporting Representative HAMILTON's substitute to maintain MFN trade status for China. This substitute would fund programs to promote human rights; authorize increased funding for broadcasting to China; urge United States businesses to adopt a voluntary set of principles to govern their activities; and authorize the President to establish a commission to monitor human rights conditions in China. Mr. Chairman, we must not isolate China, continue MFN trade status.

Mr. DOOLEY. Mr. Chairman, I rise today to express my opposition to efforts to link extension of most-favored-nation trading status for

China to human rights practices. I fully support President Clinton's position that human rights improvements can be made through other more effective means.

China is becoming an increasingly important trading partner for the United States. While it is clear that human rights violations continue to be a problem in China, cutting off trade relations will not improve their situation. Instead, the United States needs to remain an active economic participant with China and keep communication open.

There is no doubt that the Chinese Government would retaliate against the United States for cutting off MFN status. With the United States becoming an increasingly important market for Chinese products, there is no doubt that retaliation would be severe. Efforts to increase United States exports to China would be damaged.

The United States business community overwhelmingly supports extension of MFN-status for China because they recognize the importance of this large market for increased sales. The economic well-being of the United States lies in our ability to continue to build and maintain international markets. Severing relations with China is counter-productive in this effort.

The President has laid out a comprehensive plan to improve human rights practices in China. This plan includes increased international broadcasts to China, development of a set of voluntary principles for doing business in China, and expanded multilateral efforts to improve human rights in China.

In closing, it would be easy to vote to deny MFN-status for China and think that we were making progress in addressing the very serious human rights problems in that country. However, that vote would not materialize into actual changes in China. By remaining engaged and renewing our commitment to work toward improved human rights conditions in China we are benefiting both the citizens of China and the United States. I urge my colleagues to vote to support the President's policy on China MFN.

Mr. FALEOMAVAEGA. Mr. Chairman, I have the deepest and utmost respect for my colleagues the gentlewoman from California [Ms. PELOSI] and the gentleman from New York [Mr. SOLOMON] for their leadership and concerns on the issue that is before us.

Obviously, the question of granting MFN status for China is not one that can be easily labeled as black or white—there are many grey areas that just cannot be defined in simple terms.

Yes, China has serious human rights problems—but so is the fundamental right to provide a basic meal for some 1.3 billion people living in the most populous nation on Earth.

Mr. Chairman, since the founding of the People's Republic of China in 1949, the population of that country was at 400 million—almost double the population of our country today—but some 45 years ago.

If we are asking China to make improvements on its human rights record, are we also exacting the same expectations from other nondemocratic countries? Is this institution placing appropriate pressures on the State Department and the President to make sure that human rights issues are evenly applied against those countries with similar records?

Mr. Chairman, my understanding in discussing the MFN issue with Chinese officials is simply this—if you, the Congress and President of the United States do not grant MFN status, obviously it will affect our economy, but we will continue to do the best we can under the circumstances. But it is your decision to make, not ours. And quit being so arrogant and self-righteous about human rights violations—examine your own history and see how long it took for certain segments of your society to have their civil rights finally recognized and restored.

Mr. Chairman, China several weeks ago did in fact explode an underground nuclear device, and much against the wishes of the nuclear-club countries, including our own Nation. But, Mr. Chairman, let's examine the record. Since 1945, the United States conducted 215 nuclear explosions in the atmosphere, and 812 nuclear explosions underground. Since 1949, the former Soviet Union exploded 207 atmospheric tests and 508 underground tests. France, since 1961, conducted 45 atmospheric tests and 147 underwater detonations. For China, since 1964, PRC has exploded 23 atmospheric tests and 17 underground detonations. Mr. Chairman, the record speaks for itself.

Mr. Chairman, I support the President's policy on China and after careful examination of the legislation, I believe Chairman HAMILTON's bill best provides a balanced focus not only of our fundamental foreign policy toward China, but to promote and enhance a market economy not only for China, but for as many countries throughout the world.

Mr. Chairman, even the major dissidents in China support MFN status for China.

Mr. Chairman, the Hamilton substitute works toward progress in human rights in China without exacting a terribly high price: the loss of face of the Chinese government, with the undermining of SINO-United States relations the net result.

The Hamilton measure supports engagement with China by increasing funds for USIA exchange programs and radio broadcasting to the country, and reinforces the President's call on the United States business community in China to promote human rights with a voluntary code of conduct. The bill further encourages the establishment of a commission to monitor human rights advancement in China.

These are good and constructive steps that will ensure that human rights progress shall continue in China, while fostering a strong and cooperative relationship between our nations to address the spectrum of interests we share. I cannot more strongly urge our colleagues to support the Hamilton substitute.

Mr. MICHEL. Mr. Chairman, I rise in opposition to H.R. 4590 which would provide conditions for renewing most-favored-nation treatment for the People's Republic of China.

Let me begin with a story that might put this debate into context: The great American journalist, H.L. Mencken, used to receive a lot of mail from critics and supporters of his controversial views. Because of the great volume, he was unable to answer all of them individually. So he came up with an all-purpose answer which he sent to anyone who wrote to him, supporter or critic. This is what it said.

Dear Sir or Madam: For all I know, you may be right. Sincerely, H.L. Mencken.

I feel the same way about the proposal offered by Ms. PELOSI. For all I know it may be right, but I don't think so. I disagree with the bill because I do not believe it will work. And I believe that if it were ever passed, the Chinese Communists would take its very passage as an unacceptable diplomatic rebuff.

They would retaliate against American workers and employers, not to mention the Chinese who support free enterprise.

But there is no way we can be certain of these things. Each of us has to look at the complicated issues and then make up his or her mind. There is no moral high ground in either position. Each side is trying to help human rights.

I happen to believe the course followed by President George Bush and now by President Clinton is the right course, a course of engagement. The United States exported over $8 billion worth of goods to China last year. Those exports supported 150,000 American jobs.

Why put those jobs at risk?

In my view, we cannot risk walking away from our relationship with such an historically great and potentially powerful people as the Chinese. Equally important, the Chinese people can't risk it. Do the Chinese Communist leaders benefit by the current arrangement? Of course they do. No one denies that, but this benefit to the Communist leaders is, in my view, a short-lived one.

It is a side-effect of a powerful medicine whose long-range effects can eventually cure the evil of human rights abuses in China. The name of that medicine is economic freedom. Taken in consistent large doses, over a long period of time, it can help to bring economic and political health to the Chinese people.

So I urge our colleagues to vote no on this well-intentioned, but, in my view, ultimately unworkable bill.

Mr. DICKS. Mr. Chairman, I rise in strong support of the balanced approach to our policy with China encompassed in the Hamilton substitute and in opposition to the approach advocated by the gentlelady from California.

The President has undertaken what I believe is a prudent and effective approach to our relations with the People's Republic of China. He has clearly indicated his intention to pursue our very legitimate concerns in areas such as human rights, arms proliferation, and unfair trade. At the same time he has chosen not to abandon constructive dialog with the most populous nation in the world. He concluded that ending direct linkage between trade policy and other foreign policy goals, including promotion of human rights and nuclear nonproliferation, will enhance the prospect for success on all fronts.

The Hamilton substitute codifies the steps that the administration pledged to undertake in May to demonstrate its continued commitment to human rights issues in China. It includes increased authorizations for Radio Free Asia broadcasts. It enhances United States support for Red Cross prisoner visits in China. It endorses a code of conduct for United States businesses operating in China. And it establishes a United States Commission on Law and Society in China to act as human rights watchdog.

But it does not jeopardize our overall political and economic relationship in a way that could well prove counterproductive for both nations and undermine our ability to cooperatively deal with real crises such as the situation in North Korea.

Currently, there is a sizable trade imbalance between our nations. To some extent that reflects unfair trade practices that we have to resolve, just as is the case with Japan and other nations. But to a very large extent this is more a reflection of shifting trends among East Asian exporters since our overall trade picture with the region has not dramatically changed.

But importantly, we are on the threshold of fully tapping the immense Chinese market for American exports. China's economy is expanding two and one-half times faster than the economies of North America and Europe. Economists estimate that the $9 billion in goods and services we exported to China in 1993 translate into 170,000 jobs. The impact on the financially strapped aerospace industry is especially significant. In 1992 China was the only commercial aircraft customer for McDonnell Douglas. For Boeing, China represented 17 percent of its total sales, nearly matching all its domestic sales. For the future, industry analysts put the China aerospace market at $40 billion.

Because of this high leverage, and high visibility, the Chinese have made no secret that aerospace industry will be the first to bear the burden of retaliation. But there are also sizable potential markets for a wide range of American products, such as computers, medical instruments, power generating machinery, and even apples, which were shipped to China for the first time recently. This potential will never be realized if we slip into a full-fledge trade war.

H.R. 4590, the Pelosi bill, purports to take a middle approach that focuses on enterprises most closely linked to the Chinese Government. But the Department of State has advised us that the definition of state-owned enterprises included in the bill "can be read to encompass almost the entire industrial base of China." It is certain to precipitate a long list of legal challenges over which firms should be on the list, and which should not.

In addition, frequently those products of township and village enterprises go through wholesalers or exporters who would fit the state-owned enterprise definition, and thus undermine the very kind of grassroots small businesses we would like to see nurtured in China. On the other hand, major firms can creatively reorganize the skirt the definitions in the act. The bottom line is that the mechanism that H.R. 4590 seeks to establish is simply unworkable.

President Clinton summed up the argument well in his August 4 letter to House Members:

> Legislation restricting MFN will isolate China, undermine U.S. interests from nuclear security to human rights and cost tens of thousands of Americans their jobs. Legislation supporting the Administration's policy will place our relations with China on sound footing and give us maximum leverage to bring about the change we seek in China.

I urge support for the Hamilton substitute.

Mr. LEACH. Mr. Chairman, I certainly concur with the thrust of the Hamilton substitute. The development of a civil society based on the rule of law is far more likely to advance human rights in China than the unilateral sanctions approach of the Pelosi bill.

I would simply note that the administration crafted its initial Executive order approach precisely in order to obviate today's congressional action on China. That this body is again engaged in debate on China-MFN is an irony of extraordinary dimensions.

In any regard, I want to turn to the most important issue in Sino-American relations today: cooperation in peacefully resolving the North Korean nuclear crisis.

North Korea is clearly the paramount national security challenge confronting the United States today. In stark contrast to other regional trouble-spots such as Haiti—where no vital United States interests are at stake and no convincing rationale has yet been advanced for an American invasion—our interests in stability on the Korean Peninsula and nuclear nonproliferation are both compelling and in jeopardy.

It is premature to suggest that "the crisis is over," and that China's role may yet prove peripheral. Bilateral negotiations with the DPRK are proceeding in Geneva. All of us naturally hope that a breakthrough will soon occur.

But given North Korea's history of ignoring its commitments, great caution is in order. We must fully expect that in the weeks ahead North Korea will again seek to test American leadership and resolve.

In this context, Sino-American cooperation will likely be crucial to any credible multilateral strategy for peacefully resolving the North Korean nuclear crisis.

The reasons are obvious: China is a permanent member of the U.N. Security Council, it is an important actor in Northeast Asia, and it maintains the most extensive—though not always decisive—leverage with North Korea of any outside power.

China remains North Korea's most important bilateral relationship. The two Communist parties maintain ties. A 1961 defense treaty remains in force. China is also the DPRK's largest trading partner. According to the Hong Kong daily Ta Kung Pao, China provides the DPRK with about 72 percent of all its grain imports, 75 percent of the petroleum, and 88 percent of all coal.

Nevertheless, the United States and China share an impressive identity of interests in Korea.

China clearly favors a nuclear-free Korean Peninsula. It helped get North Korea to reach a safeguards agreement with the IAEA. It has not obstructed action in the U.N. Security Council and in one case even sponsored a relevant statement on North Korea.

The PRC also has an interest in maintaining peace and stability in Korea. It has extensive interests in northeast Asia that would be jeopardized by conflict in Korea. North Korea is also a close neighbor, and the gateway to Manchuria, where a large Korean minority lives just across the border from the North.

One would presume that as early as March 1993, when North Korea announced its intent to withdraw from the NPT, a compelling priority of United States foreign policy would have been to achieve an understanding with China—in close consultation with South Korea and Japan—on the need for firm, concerted steps to defuse the North Korean nuclear challenge.

But such has not occurred. In part this has been a function of Washington's badly misplaced foreign policy priorities and its fatally flawed approach to China-MFN. But it is also a function of Chinese perceptions, both about of United States intentions—a mistaken belief we may be seeking to destabilize China as well as North Korea through a policy of peaceful evolution—and the nature of the North Korean nuclear problem.

This helps explain why Beijing has often appeared aloof and ambivalent—rather than engaged and committed—as others grapple with this crisis.

China may doubt whether North Korea truly seeks to develop nuclear weapons. Senior Chinese leaders evidently attached great weight to pledges to this effect made by the late Kim Il-Sung. In addition, PRC-owned Hong Kong press reports suggest that Beijing does not believe there is any direct evidence that North Korea has developed an atomic bomb or bombs.

That having been said, Pyongyang's actions in the weeks ahead could decisively affect key Chinese assumptions about the North Korean program.

For example, China has genuinely angered and alarmed by Pyongyang's decision to defuel its 25mwt reactor. Beijing's objections were ignored. While China is relieved that diplomatic dialog appears back on track, it could well be compelled to contemplate sterner alternatives if North Korea recklessly proceeds with nuclear reprocessing.

China also does not believe that North Korea would launch a suicidal war of aggression to reunify the peninsula. The PRC is more concerned that external pressure on North Korea over the nuclear issue—particularly in the context of leadership succession and rapid economic decline—may foreclose diplomatic options and prompt Pyongyang to resort to force.

Tactically, therefore, Beijing prefers an incremental approach. Its preferred solution is to emphasize patient dialog and encourage North Korea to open up to the outside world.

While China has so far failed to convince Pyongyang to emulate senior leader Deng Xiaoping's policy of reform and opening, it fears that without such reform the survival of the North Korean regime is in doubt.

North Korea also presents China with a political problem. It puts China in the hot seat at the United Nations because in principle China is opposed to economic sanctions. Yet China faces international isolation if it blocks U.N. action and appears to align itself with Pyongyang. Hence it favors maintaining a low profile and the status quo.

But events could soon compel China to take sides. Within weeks North Korea could declare that it intends to begin separating plutonium from recently discharged spent fuel. It may even do so with inspectors from the IAEA present.

Although this would breach an understanding with the United States, it would not violate IAEA rules or the NPT. As long as there is no diversion, reprocessing is considered a peaceful nuclear activity. While the material would be under IAEA monitoring, the North could at

any time complete its now-suspended withdrawal from the NPT or simply oust the inspectors.

China must understand that if North Korea is allowed to proceed with reprocessing under any pretext, it could soon have enough plutonium to develop four or five nuclear weapons.

Should that occur, pressure in South Korea and possibly Japan to develop an independent nuclear deterrent could well become irresistible. Any such development would of course be of profound concern.

If Pyongyang proceeds with nuclear reprocessing, there will be no choice for China and the world community but to demonstrate conclusively to the North that they have no option but to comply with their NPT obligations and end their nuclear weapons program.

For this Congress not to understand that North Korea is our highest national security priority—and to be threatening normal nondiscriminatory trade with a country whose cooperation is likely to be crucial to a resolution of the issue—is so foolhardy and counterproductive as to defy rational explication.

I urge the defeat of the Pelosi bill and support for a bipartisan, biinstitutional approach to Sino-American relations.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, the people of China should be treated fairly. The extension of most-favored-nation trading status for China should be continued in order to ensure that America can improve the human rights situation in that nation through a positive working relationship with the people of China and the Chinese Government.

During debate on the MFN status of China, statements were made on the floor of the House which claimed that although China needs us, we don't need them. We have needed them, and we continue to need China as a friend of the United States. President Richard Nixon needed China to drive a wedge in the Communist bloc. We need China now to help advance American interests on the Korean peninsula. In this globally interdependent economy, it is highly likely we will need China in the future.

Many may be misled by the term most-favored-nation status, because it implies that China is getting some special treatment from the United States in our trade relationship. In fact, MFN is the standard way the United States does business around the world. China would be no more favored than any other nation around the world with whom we have a normal trade relationship.

Obviously, human rights are a crucial concern with regard to America's foreign policy. But just as obviously, the use of trade sanctions is not an effective vehicle for influencing the human rights policy of foreign nations. Again and again, the use of trade sanctions to improve human rights in distant lands has been tried, and, again and again, the attempt has failed. Trade sanctions hurt the working class, not the wealthy leaders of nations. In Haiti, where America is using trade sanctions, small businesses are being destroyed, and the common citizen is being deprived of human and economic rights.

On the other hand, the influence of America, properly applied, has been very successful in improving the human rights conditions of many nations around the world. South Korea and Argentina are but two examples of the achievement of the United States in improving human rights through interaction with the people and government of these nations. In China itself, fantastic changes have occurred since the opening of the nation in the early 1970's. This opening has allowed interaction between American and Chinese businesses, and American technology has allowed the people of China to improve their economic standing. With improvement in technology comes more access to information. The power of information will effect change in China, as it already has. Whose information? That provided by America and our allies, which, as long as we continue to trade with China, will continue to filter through to each and every Chinese citizen. American ideals, as always, can best be advanced by exposing others to our values and our successes.

If we close down our trade with China, who profits? Not the citizens of China, whose economic freedoms will likely decline, and whose access to American information and ideals will be shut off. Not the American worker, who will no longer have access to the enormous Chinese market. We may feel a little better for a short time, and think that we have done what is right. But when China begins to fall backward in human rights, our brief good feeling will die.

The common citizen of China, and his or her human rights, should be the focus of our human rights policy. What does that common citizen want? During my visits to China, I have talked to many of the citizens of China, and not once was I asked to revoke MFN status. Many, many times, however, I was asked to continue to work to improve the relationship between our two nations.

This very point is what separates China and this situation from the past American policy toward South Africa. Essentially every South African who was not associated with the government of that nation cried out to the United States and to rest of the world to impose stringent economic sanctions against South Africa. This was the right thing to do, and I was proud to lead the effort in Texas to gain sanctions against South Africa. Our goal was to effect a total change in the governing body of the nation, and we succeeded. In so doing, we destroyed the economic infrastructure of the nation, which we are now helping to rebuild.

In China, the circumstances are very different. Our goal, as stated by many Members, is to improve the situation of the common citizen of China, not to force a change in government. We do not have the support of the world. In fact, should we decide not to trade with China, many other nations will jump in to take our place. Then, high-paying American jobs will be lost as European aeronautical firms move into supply aircraft, and as other nations rush to supply China's technological needs. Human rights conditions will not be improved, and the ability of America to exert positive influence will be lost. This is not South Africa, and although Europeans agreed that "We ain't gonna play Sun City," you can be sure that the European Union will be only to happy to play Beijing.

My colleagues and I do agree that human rights policy is of utmost importance to this Nation, and America should do all it can to improve the way other nations treat their citizens. What we need to realize is that American can do more to help these people by interacting with them than by ignoring them.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Indiana [Mr. HAMILTON].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HAMILTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 280, noes 152, not voting 8, as follows:

[Roll No. 382]

AYES—280

Ackerman
Allard
Andrews (NJ)
Andrews (TX)
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Bartlett
Bateman
Becerra
Bereuter
Bevill
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehner
Bonilla
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Bryant
Buyer
Callahan
Calvert
Camp
Canady
Cantwell
Carr
Castle
Chapman
Clement
Clinger
Coble
Coleman
Combest
Condit
Cooper
Coppersmith
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeLauro
DeLay
Derrick
Deutsch
Dicks
Dingell
Dooley
Doolittle
Dornan
Dreier
Dunn
Edwards (TX)
Ehlers
Emerson
English
Ewing
Faleomavaega (AS)
Fawell
Fazio
Fields (TX)
Filner
Fingerhut
Flake
Foglietta
Foley
Fowler
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gingrich
Glickman
Goodlatte
Gordon
Goss
Grams
Grandy
Greenwood
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hoagland
Hoekstra
Hoke
Houghton
Huffington
Hughes
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kennelly
Kim
King
Kingston
Kleczka
Klein
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lightfoot
Linder
Livingston
Lloyd
Long
Lucas
Machtley
Maloney
Mann
Manton
Manzullo
Martinez
Matsui
McCandless
McCollum
McCrery
McCurdy
McDade
McHugh
McInnis
McKeon
McMillan
McNulty
Meek
Menendez
Meyers
Mica
Michel
Miller (FL)
Mineta
Minge
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Neal (MA)
Neal (NC)
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)

Petri
Pickett
Pickle
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quillen
Quinn
Ramstad
Rangel
Reed
Regula
Reynolds
Roberts
Roemer
Rostenkowski
Roth
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schumer
Serrano
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (OR)
Spence
Stenholm
Stump
Sundquist
Swift
Synar
Talent
Tanner
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Tucker
Valentine
Visclosky
Volkmer
Vucanovich
Walsh
Wheat
Whitten
Williams
Wilson
Wise
Wyden
Young (AK)
Zeliff
Zimmer

NOES—152

Abercrombie
Andrews (ME)
Applegate
Baker (CA)
Barrett (WI)
Barton
Beilenson
Berman
Bilbray
Boehlert
Bonior
Borski
Brown (OH)
Bunning
Burton
Byrne
Cardin
Clay
Clayton
Collins (GA)
Collins (IL)
Collins (MI)
Conyers
Costello
Cox
Coyne
DeFazio
Dellums
Diaz-Balart
Dickey
Dixon
Duncan
Durbin
Edwards (CA)
Engel
Eshoo
Evans
Everett
Farr
Fields (LA)
Fish
Ford (MI)
Ford (TN)
Frank (MA)
Gejdenson
Gephardt
Gilman
Gonzalez
Goodling
Green
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hayes
Hefley
Hefner
Hilliard
Hinchey
Hobson
Hochbrueckner
Holden
Horn
Hoyer
Hunter
Hutchinson
Hutto
Hyde
Inglis
Kaptur
Kasich
Kennedy
Kildee
Klink
Klug
Lancaster
Lantos
Lewis (FL)
Lewis (GA)
Lewis (KY)
Lipinski
Lowey
Margolies-Mezvinsky
Markey
Mazzoli
McCloskey
McDermott
McHale
McKinney
Meehan
Mfume
Miller (CA)
Mink
Moakley
Molinari
Nadler
Norton (DC)
Obey
Olver
Owens
Pallone
Payne (NJ)
Pelosi
Porter
Poshard
Rahall
Richardson
Ridge
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Sanders
Schiff
Schroeder
Scott
Sensenbrenner
Sharp
Shepherd
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spratt
Stark
Stearns
Stokes
Strickland
Studds
Stupak
Swett
Tauzin
Taylor (MS)
Torricelli
Towns
Traficant
Underwood (GU)
Unsoeld
Upton
Velazquez
Vento
Walker
Washington
Waters
Watt
Waxman
Weldon
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—8

Bentley
Clyburn
Gallo
Herger
Mollohan
Ravenel
Romero-Barcelo (PR)
Roukema

□ 1840

Mr. CLAY and Mr. LEWIS of Georgia changed their vote from "aye" to "no."

Mr. BARTLETT of Maryland changed his vote from "no" to "aye."

So the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Ms. PELOSI: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States-China Act of 1994".

SEC. 2. FINDINGS AND POLICY.

(a) FINDINGS.—The Congress makes the following findings:

(1) In Executive Order 12850, dated May 28, 1993, the President established conditions for renewing most-favored-nation treatment for the People's Republic of China in 1994.

(2) The Executive order requires that in recommending the extension of most-favored-nation trade status to the People's Republic of China for the 12-month period beginning July 3, 1994, the Secretary of State shall not recommend extension unless the Secretary determines that such extension substantially promotes the freedom of emigration objectives contained in section 402 of the Trade Act of 1974 (19 U.S.C. 2432) and that China is complying with the 1992 bilateral agreement between the United States and China concerning export to the United States of products made with prison labor.

(3) The Executive order further requires that in making the recommendation, the Secretary of State shall determine if China has made overall significant progress with respect to—

(A) taking steps to begin adhering to the Universal Declaration of Human Rights;

(B) releasing and providing an acceptable accounting for Chinese citizens imprisoned or detained for the nonviolent expression of their political and religious beliefs, including such expressions of beliefs in connection with the Democracy Wall and Tiananmen Square movements;

(C) ensuring humane treatment of prisoners, and allowing access to prisons by international humanitarian and human rights organizations;

(D) protecting Tibet's distinctive religious and cultural heritage; and

(E) permitting international radio and television broadcasts into China.

(4) The Executive order requires the executive branch to resolutely pursue all legislative and executive actions to ensure that China abides by its commitments to follow fair, nondiscriminatory trade practices in dealing with United States businesses and adheres to the Nuclear Nonproliferation Treaty, the Missile Technology Control Regime guidelines and parameters, and other nonproliferation commitments.

(5) The Government of the People's Republic of China, a member of the United Nations Security Council obligated to respect and uphold the United Nations charter and Universal Declaration of Human Rights, has over the past year made less than significant progress on human rights. The People's Republic of China has released only a few prominent political prisoners and continues to violate internationally recognized standards of human rights by arbitrary arrests and detention of persons for the nonviolent expression of their political and religious beliefs.

(6) The Government of the People's Republic of China has not allowed humanitarian and human rights organizations access to prisons.

(7) The Government of the People's Republic of China has refused to meet with the Dalai Lama, or his representative, to discuss the protection of Tibet's distinctive religious and cultural heritage.

(8) It continues to be the policy and practice of the Government of the People's Republic of China to control all trade unions and suppress and harass members of the independent labor union movement.

(9) The Government of the People's Republic of China continues to restrict the activities of accredited journalists.

(10) The People's Republic of China's defense industrial trading companies and the People's Liberation Army engage in lucrative trade relations with the United States and operate lucrative commercial businesses within the United States. Trade with and investments in the defense industrial trading companies and the People's Liberation Army are contrary to the national security interests of the United States.

(11) The President has conducted an intensive high-level dialogue with the Government of the People's Republic of China, including meeting with the President of China, in an effort to encourage that government to make significant progress toward meeting the standards contained in the Executive order for continuation of most-favored-nation treatment.

(12) The Government of the People's Republic of China has not made overall significant progress with respect to the standards contained in the President's Executive Order 12850, dated May 28, 1993.

(b) POLICY.—It is the policy of the Congress that, since the President has recommended the continuation of the waiver under section 402(d) of the Trade Act of 1974 for the People's Republic of China for the 12-month period beginning July 3, 1994, such waiver shall not provide for extension of nondiscriminatory trade treatment to goods that are produced, manufactured, or exported by the People's Liberation Army or Chinese defense industrial trading companies or to nonqualified goods that are produced, manufactured, or exported by state-owned enterprises of the People's Republic of China.

SEC. 3. LIMITATIONS ON EXTENSION OF NONDISCRIMINATORY TREATMENT.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) if nondiscriminatory treatment is not granted to the People's Republic of China by reason of the enactment into law of a disapproval resolution described in subsection (b)(1), nondiscriminatory treatment shall—

(A) continue to apply to any good that is produced or manufactured by a person that is not a state-owned enterprise of the People's Republic of China, but

(B) not apply to any good that is produced, manufactured, or exported by a state-owned enterprise of the People's Republic of China,

(2) if nondiscriminatory treatment is granted to the People's Republic of China for the 12-month period beginning on July 3, 1994, such nondiscriminatory treatment shall not apply to—

(A) any good that is produced, manufactured, or exported by the People's Liberation Army or a Chinese defense industrial trading company, or

(B) any nonqualified good that is produced, manufactured, or exported by a state-owned enterprise of the People's Republic of China, and

(3) in order for nondiscriminatory treatment to be granted to the People's Republic of China, and subsequent to the granting of such nondiscriminatory treatment, the Secretary of the Treasury shall consult with leaders of American businesses having significant trade with or investment in the People's Republic of China, to encourage them to adopt a voluntary code of conduct that—

(A) follows internationally recognized human rights principles,

(B) ensures that the employment of Chinese citizens is not discriminatory in terms of sex, ethnic origin, or political belief,

(C) ensures that no convict, forced, or indentured labor is knowingly used,

(D) recognizes the rights of workers to freely organize and bargain collectively, and

(E) discourages mandatory political indoctrination on business premises.

(b) DISAPPROVAL RESOLUTION.—

(1) IN GENERAL.—For purposes of this section, the term "resolution" means only a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on _____ with respect to the People's Republic of China because the Congress does not agree that the People's Republic of China has met the standards described in the President's Executive Order 12850, dated May 28, 1993.", with the blank space being filled with the appropriate date.

(2) APPLICABLE RULES.—The provisions of sections 153 (other than paragraphs (3) and (4) of subsection (b)) and 402(d)(2) (as modified by this subsection) of the Trade Act of 1974 shall apply to a resolution described in paragraph (1).

(c) DETERMINATION OF STATE-OWNED ENTERPRISES AND CHINESE DEFENSE INDUSTRIAL TRADING COMPANIES.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall determine which persons are state-owned enterprises of the People's Republic of China and which persons are Chinese defense industrial trading companies for purposes of this Act. The Secretary shall publish a list of such persons in the Federal Register.

(2) PUBLIC HEARING.—

(A) GENERAL RULE.—Before making the determination and publishing the list required by paragraph (1), the Secretary of the Treasury shall hold a public hearing for the purpose of receiving oral and written testimony regarding the persons to be included on the list.

(B) ADDITIONS AND DELETIONS.—The Secretary of the Treasury may add or delete persons from the list based on information available to the Secretary or upon receipt of a request containing sufficient information to take such action.

(3) DEFINITIONS AND SPECIAL RULES.—For purposes of making the determination required by paragraph (1), the following definitions apply:

(A) CHINESE DEFENSE INDUSTRIAL TRADING COMPANY.—The term "Chinese defense industrial trading company"—

(i) means a person that is—

(I) engaged in manufacturing, producing, or exporting, and

(II) affiliated with or owned, controlled, or subsidized by the People's Liberation Army, and

(ii) includes any person identified in the United States Defense Intelligence Agency publication numbered VP-1920-271-90, dated September 1990.

(B) PEOPLE'S LIBERATION ARMY.—The term "People's Liberation Army" means any branch or division of the land, naval, or air military service or the police of the Government of the People's Republic of China.

(C) STATE-OWNED ENTERPRISE OF THE PEOPLE'S REPUBLIC OF CHINA.—(i) The term "state-owned enterprise of the People's Republic of China" means a person who is affiliated with or wholly owned, controlled, or subsidized by the Government of the People's Republic of China and whose means of production, products, and revenues are owned or controlled by a central or provincial government authority. A person shall be considered to be state-owned if—

(I) the person's assets are primarily owned by a central or provincial government authority;

(II) a substantial proportion of the person's profits are required to be submitted to a central or provincial government authority;

(III) the person's production, purchases of inputs, and sales of output, in whole or in part, are subject to state, sectoral, or regional plans; or

(IV) a license issued by a government authority classifies the person as state-owned.

(ii) Any person that—

(I) is a qualified foreign joint venture or is licensed by a governmental authority as a collective, cooperative, or private enterprise; or

(II) is wholly owned by a foreign person,

shall not be considered to be state-owned.

(D) QUALIFIED FOREIGN JOINT VENTURE.—The term "qualified foreign joint venture" means any person—

(i) which is registered and licensed in the agency or department of the Government of the People's Republic of China concerned with foreign economic relations and trade as an equity, cooperative, contractual joint venture, or joint stock company with foreign investment;

(ii) in which the foreign investor partner and a person of the People's Republic of China share profits and losses and jointly manage the venture;

(iii) in which the foreign investor partner holds or controls at least 25 percent of the investment and the foreign investor partner is not substantially owned or controlled by a state-owned enterprise of the People's Republic of China;

(iv) in which the foreign investor partner is not a person of a country the government of which the Secretary of State has determined under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)) to have repeatedly provided support for acts of international terrorism; and

(v) which does not use state-owned enterprises of the People's Republic of China to export its goods or services.

(E) PERSON.—The term "person" means a natural person, corporation, partnership, enterprise, instrumentality, agency, or other entity.

(F) FOREIGN INVESTOR PARTNER.—The term "foreign investor partner" means—

(i) a natural person who is not a citizen of the People's Republic of China; and

(ii) a corporation, partnership, instrumentality, enterprise, agency, or other entity that is organized under the laws of a country other than the People's Republic of China and 50 percent or more of the outstanding capital stock or beneficial interest of such entity is owned (directly or indirectly) by natural persons who are not citizens of the People's Republic of China.

(G) NONQUALIFIED GOOD.—The term "nonqualified good" means a good to which chapter 39, 44, 48, 61, 62, 64, 70, 73, 84, 93, or 94 of the Harmonized Tariff Schedule of the United States applies.

(H) CONVICT, FORCED, OR INDENTURED LABOR.—The term "convict, forced, or indentured labor" has the meaning given such term by section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(I) VIOLATIONS OF INTERNATIONALLY RECOGNIZED STANDARDS OF HUMAN RIGHTS.—The term "violations of internationally recognized standards of human rights" includes but is not limited to, torture, cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance of persons by abduction and clandestine detention of those persons, secret judicial proceedings, and other flagrant denial of the right to life, liberty, or the security of any person.

(J) MISSILE TECHNOLOGY CONTROL REGIME.—The term "Missile Technology Control Regime" means the agreement, as amended, between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on an annex of missile equipment and technology.

(d) SEMIANNUAL REPORTS.—The Secretary of the Treasury shall, not later than 6 months after the date of the enactment of this Act, and the end of each 6-month period occurring thereafter, report to the Congress on the efforts of the executive branch to carry out subsection (c). The Secretary may include in the report a request for additional authority, if necessary, to carry out subsection (c). In addition, the report shall include information regarding the efforts of the executive branch to carry out subsection (a)(3).

SEC. 4. PRESIDENTIAL WAIVER.

The President may waive the application of any condition or prohibition imposed on any person pursuant to this Act, if the President determines and reports to the Congress that the continued imposition of the condition or prohibition would have a serious adverse effect on the vital national security interests of the United States.

SEC. 5. REPORT BY THE PRESIDENT.

If the President recommends in 1995 that the waiver referred to in section 2 be continued for the People's Republic of China, the President shall state in the document required to be submitted to the Congress by section 402(d) of the Trade Act of 1974, the extent to which the Government of the People's Republic of China has made progress during the period covered by the document, with respect to—

(1) adhering to the provisions of the Universal Declaration of Human Rights,

(2) ceasing the exportation to the United States of products made with convict, forced, or indentured labor,

(3) ceasing unfair and discriminatory trade practices which restrict and unreasonably burden American business, and

(4) adhering to the guidelines and parameters of the Missile Technology Control Regime, the controls adopted by the Nuclear Suppliers Group, and the controls adopted by the Australia Group.

SEC. 6. SANCTIONS BY OTHER COUNTRIES.

If the President decides not to seek a continuation of a waiver in 1995 for the People's Republic of China under section 402(d) of the Trade Act of 1974, the President shall, during the 30-day period beginning on the date that the President would have recommended to

the Congress that such a waiver be continued, undertake efforts to ensure that members of the General Agreement on Tariffs and Trade take a similar action with respect to the People's Republic of China.

The CHAIRMAN. Pursuant to the rule, the gentlewoman from California [Ms. PELOSI] will be recognized for 15 minutes, and a Member in opposition will be recognized for 15 minutes.

Mr. GIBBONS. Mr. Chairman, I rise in opposition to the amendment in the nature of a substitute.

The CHAIRMAN. The gentleman from Florida [Mr. GIBBONS] will be recognized for 15 minutes.

The Chair recognizes the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, it is with great pride that I yield 3 minutes to the Democratic majority whip, the gentleman from Michigan [Mr. BONIOR], a champion for human rights, a champion for workers' rights throughout the world, and, more importantly, in addition to all of that, a champion of American workers' rights.

Mr. BONIOR. Mr. Chairman, I thank the gentlewoman from California for yielding this time to me.

Mr. Chairman, sometimes, I think we take a lot of things for granted in this country.

Every one of us in this Chamber today has been doing something that the people of China would never dream of doing: We have openly debated the policies of our Government.

We have questioned the direction our country should go.

You cannot do that in China. If you speak out against the Government, you get arrested,

If you actively work to build support to oppose a policy, you get thrown in jail.

And if you say a prayer in public in some parts of China—like we did this morning—you might never be heard from again.

I think that is part of the reason why those students in Tiananmen Square read from our Constitution and quoted Thomas Jefferson 5 years ago.

It is the same reason why people in the most distant reaches of South Africa used to carry copies of the Declaration of Independence in their pockets: because they know America is supposed to stand for something.

Because when tyrants around the world oppress their own people, they know the principals that this country was founded on are supposed to stand out like a beacon.

And they hope that we will speak out on behalf of human rights and democracy in the world.

That is all we are asking for today.

We are not asking to end most-favored-nation trading status with China—because that issue has been decided for now.

We are not asking to hang a keep out sign for Chinese products on the United States border—because we know that's not going to happen.

And we are not asking to turn our backs on the China market—because we recognize the opportunities there.

We are simply asking that we target the most egregious offenders of human rights in China today, and that we end the taxpayer subsidies for the very people who are doing the torturing, the abusing, the arresting, and the murdering in China today. Is that really too much to ask?

Do you really think our trade with China is going to collapse if the Chinese Army loses its most-favored-nation status?

We have a $23 billion trade deficit with China today.

Do you really think they will abandon the U.S. market if we drop MFN for 5 billion dollars' worth of state-run enterprises?

There is not a single industrialized nation in the world that gives them the same breaks we do.

And you know why? Because they know it's not fair to ask their workers to compete with Chinese workers who are forced to work for 10 cents an hour.

Because they know they cannot compete with products made in the prisons of the Chinese Army.

And what about the budget of the Chinese Army—that increased by more than 20 percent last year thanks to their special trade status with the United States.

What do you think that money is going for?

More uniforms and desk chairs? Or more tanks, torture, and persecution of the Chinese people?

It is interesting that during this entire debate, nobody has disavowed the fact that China's human rights record is getting worse.

Nobody has said it is getting better.

And that's really what this debate comes down to.

The students who marched in China 5 years ago did not march for money or for power.

They marched for the freedom of speech. They marched for the freedom to organize and the freedom to vote.

They marched for the right to build a better life for their families—and for more opportunities than 10 cents an hour.

And today, I hope that just once we will stand up for them, and for people like them in our country and all over the world.

I hope we will vote to end MFN for the Chinese military.

Not because it is the popular thing to do.

Not because it is the political thing to do.

But because it is right.

Because we are the hope of the Chinese people. And we can not afford to turn our backs on them.

Mr. GIBBONS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want you all to know that this is not my idea of a rule. I have never really come upon one exactly like this, but I do not want to prolong the agony.

I think the House has demonstrated that it has made up its mind with that rather outstanding vote in favor of the Hamilton proposal just a few moments ago.

Let me say that Ms. PELOSI has striven hard to do what she thinks is correct in this matter. I simply disagree with her position.

First, her proposal would interrupt about half of the trade that we have with China. Second, all of us have a letter from the U.S. Commissioner of Customs who says it would be impossible to administer, and extremely costly to try to enforce, the restrictions that the gentlewoman outlines in her proposal. Commissioner Weise points out that it would take the investigation of about 100,000 companies in China in order to determine which products would be targeted by the sanctions authorized in H.R. 4590. The U.S. Customs Service would have to identify and report publicly on these companies controlled by the state in China or by the People's Liberation Army. The Commissioner notes that there is just no way to do that. The Customs Service does not have that many people who can speak Chinese. Customs Commissioner Weise doubts that the Chinese Government would allow his personnel the access necessary to carry out such investigations. Customs law is difficult enough without adding the impossible task of administering this bill.

□ 1850

So, as well intentioned as the amendment offered by the gentlewoman from California [Ms. PELOSI] is, this measure would restrict trade with China, touch off a prolonged period of instability in U.S.-China relations, and most importantly, undercut the President's new comprehensive China policy. The President seeks to engage the Chinese on every front, and we need the Chinese to help us manage the North Korean nuclear threat.

The Chinese have never had the kind of traditions on freedom, democracy, and human rights that we have had but I believe that they are moving closer to, rather than further from, internationally recognized norms in such areas. The people in China are freer today than ever before in my lifetime, and perhaps, in the entire 6,000 years of Chinese history.

So, Mr. Chairman, we are making progress, and I think that the President has outlined a good policy for furthering such progress. I believe that disrupting trade would rupture our relations with China, and I would add that the United States would be the only industrialized society disengaging

from China. None of our competitors in the industrialized world have any intention of doing what the gentlewoman from California [Ms. PELOSI] is asking us to do here today.

I urge my colleagues to vote "no" on the Pelosi substitute.

Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. MATSUI], the chairman of the Subcommittee on Trade who has just done a wonderful job in organizing and supporting all of this effort, may be able to control the balance of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. MARKEY] who has been a champion on the issue of proliferation, especially in the case of China, and because of him at least we have the gun ban in the President's policy statement of last May.

Mr. MARKEY. Mr. Chairman, I thank the gentlewoman from California [Ms. PELOSI] very much, and I congratulate her on her amendment here today.

Human rights violations continue unabated in China. Use of slave labor continues unabated inside of China. Even if, however, on balance one believes that it makes sense to turn a blind eye to these glaring abuses because we somehow need a trade imbalance of $30 billion a year with the Chinese Government, how can we ignore the fact that this country is the No. 1 proliferater of nuclear materials on this planet? Over the last half-dozen years Beijing has exported arms to North Korea, to Syria, to Algeria, to Iran, to Iraq, to Pakistan. Now out here on the floor on an ongoing basis we have to appropriate tens of billions of dollars of American taxpayers' money to then isolate these troublespots around the world. Why? Because China, the Kmart of nuclear commerce, continues to drop oil onto every trouble spot on this planet.

Now I ask my colleagues why in the world should we spend tens of billions of taxpayers' dollars so that we can run up a $30 billion trade deficit, and turn a blind eye and a deaf ear to the cries of the human rights dissidents sitting in this gallery today pleading with us to stand up for their people?

My colleagues, this is not a difficult decision. The Chinese Government needs us more than we need them. They are not helping us with North Korea, and, if they do, it is only out of their own national defense self-interest. We get nothing out of this but long-term trouble.

Vote for the Pelosi amendment and save this Government tens of billions of dollars in years ahead. We should have done this with the Shah of Iran. We should have done this in Iraq. We would have paid a much smaller price as a people if we had been wiser far in advance of the problems that we sowed by ourselves by our own actions here on the floor of this Congress.

Vote for the Pelosi amendment.

Mr. MATSUI. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Chairman, I rise in support of MFN and against the amendment offered by the gentlewoman from California [Ms. PELOSI].

Mr. Chairman, I rise in support of the Hamilton amendment to H.R. 4590, the U.S.-China Act of 1994.

I strongly oppose terminating China's current trade status by revoking most-favored-nation [MFN] status or by imposing broad trade sanctions. Our current policy balances a host of concerns which have been voiced on the floor today, such as political and human rights concerns.

Human rights progress must be achieved in China; however, it should be done through nontrade means such as expanding private and multilateral efforts, increasing international broadcasts to China and supporting Chinese businesses in developing voluntary principles on human rights.

Renewing China's MFN status remains consistent with our goal of bringing China into the expanding world of free-market societies. Isolating China by cutting off MFN only serves to weaken the ties to the west and increase repression.

There are also a number of economic arguments to support extending MFN status to China. Engaging China in a trade war will not only lower American exports, but will also effectively kill more than 150,000 American jobs. Our constituents would feel the effects of this action through higher prices resulting from an increase in U.S. tariffs on a variety of Chinese products.

I urge my colleagues to vote in favor of the Hamilton amendment to maintain MFN trade status for China.

Mr. MATSUI. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Chairman, in the past I have supported MFN with the People's Republic of China, but only with the most stringent conditions attached. I have little respect for the octogenarian administration of PRC and their abysmal human rights record.

On a personal basis, I lived and worked with Tibetan refugees in Nepal as a Peace Corps volunteer. I have a great measure of love and respect for those people and their culture. Tibetan Lamaic Buddhism is among the world's great religious traditions. I was very fortunate to have witnessed and participated in some of the richest and most beautiful religious services I have ever seen. In the 1950's, the Communist Chinese set out to destroy this culture. They have not been successful, but the people have suffered great harm.

Therefore it is with great difficulty that I face this decision today. Events of the past have changed my view. The opening of Eastern Europe to democracy began with economic reform. As Western culture, good and bad, flowed east, and information expanded exponentially, people were empowered. They knew what they were missing. They were freer to exchange ideas, challenge authority and enrich their lives materially. And once the door flew open they could not close it. Human rights violations were witnessed not be silent neighbors, but by an outraged world.

Mr. Chairman, I have become convinced that this is the only way to open the Chinese doors and windows. They need to look out and we need to see in to make sure that another Tibetan pogrom cannot take place.

Economics drives much of our foreign policy, and all of the economic arguments in favor of MFN are strong. But we must cope with the human condition these policies affect. The time has come to open China to trade, to information interchange, and to democratic ideas that, once introduced, should bring the desired result.

For these reasons, Mr. Chairman, I urge a no vote on the Pelosi amendment and a yes vote for most-favored-nation status with China.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. GILMAN], a leader on this issue in the Congress.

Mr. GILMAN. Mr. Chairman, I rise in strong support of the amendment offered by the gentlewoman from California [Ms. PELOSI].

Mr. Chairman, the issue before us is not isolating the People's Republic of China. The issue before us is trade with the People's Liberation Army. There is no sound reason that the military forces of Communist China should be granted any preferential trading status. How could we rationalize such a shortsighted policy?

The Chinese military is the only armed forces in the world that still are targeting our Nation with nuclear weapons. Do we support that kind of policy?

Our senior counterintelligence officials inform us that the Chinese military has the most active industrial espionage network here in our own country. Do we support that kind of a policy?

The Chinese military is supporting the North Koreans. Do we support that policy?

Where is our long-term foreign policy thinking?

Bear in mind that our deficit in trade with China is more than $23 billion.

I say, "Vote yes on the Pelosi bill to revoke MFN for the Chinese army. Support our American workers here at home by supporting the human rights abroad."

□ 1900

Mr. MATSUI. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. BLILEY].

Mr. BLILEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I have great respect for our colleague, the gentlewoman from California [Ms. PELOSI], but on this issue, she is wrong. We need to divorce trade from foreign policy. We need China. If we are going to be able to do anything diplomatically to solve the problem with nuclear proliferation in North Korea, we need China.

The oriental people, the Chinese in particular, are very sensitive to face. If they determine in any way that we are applying any kind of pressure, overt or covert, we will be totally unsuccessful. And who will suffer? Our farmers in the Midwest, our people in high-technology industries, our people in Seattle and other places with airplanes and other sophisticated products that the Chinese need.

We need to divorce this situation, make trade, trade, and make foreign policy, foreign policy.

The framers of our Constitution were right when they said the President shall set foreign policy.

Ms. PELOSI. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, I thank my colleagues for their attention today and for their participation in this important debate.

Mr. Chairman, before I proceed I want to acknowledge the wonderful staff support of Eric Weiss, Mike Wessel, Miles Lackey, Karen Ann Feever, Carolyn Bartholomew, and so many other people on our staffs who worked so very hard on this issue for such a long time. I, too, would like to join the gentleman from Massachusetts [Mr. MARKEY] in recognizing the dissidents who are in the Chamber with us today.

Mr. Chairman, why are we having this debate? Why are we here today? I contend that this debate is central and fundamental to how we proceed into the global and international marketplace. This is a debate about the American worker, it is a debate about human rights throughout the world, and, in this particular case, particularly in China, it is about how we are smart in our trade relationships and how they relate to the proliferation of weapons.

Over the past 5 years, this House has demonstrated its concern about the trade deficit with China, which this year will be $30 billion, and I promise you if we do nothing today, it will surpass Japan. Second, we are concerned about the serious repression in China and Tibet, and, third, seriously concerned about the proliferation of weapons to unsafeguarded countries, including the sale of weapons to the Khmer Rouge.

In the speaker's remarks, it was curious to me he made two points. He said first, China was cooperating with us on North Korea; the Chinese military is not. The military has pledged 82,000 troops in case of war to the North Korean armed forces, and also pledged food and energy and credit assistance in case of U.N. sanctions. So let us be straight about what China is doing.

Why is it that people in our midst here wish to ignore the violations in our trade relationship, in our proliferation arrangements, and, yes, indeed, even on the question of human rights?

I said earlier that I did not believe that the Hamilton amendment did that much. I do not think it does. So I think it is very possible for Members to vote for that. It does nothing to negate voting also for the Pelosi amendment. So I hope some Members will register their support also for my legislation.

Why is that? Is it a difficult thing to ask our colleagues that they vote not to give a tax break to the Chinese military, the same Chinese military where these three issues converge, who are proliferating weapons, who are repressing people in China and Tibet, and flooding our markets with their products, many of them made by prison labor, because the Chinese military oversees a great deal of the prison labor camps itself?

Is it too much to say the American taxpayer should not be subsidizing the proliferation of weapons into the Third World and to unsafeguarded countries? Is it too much to say do not subsidize the Chinese military when they are the oppressors in China?

Well, we have heard all of that. I think that in 3 years, if we do nothing today, we will look back and say, how did this trade deficit get to this point?

So I am asking my colleagues to vote in favor of the American worker, to get the American consumer off the hook for unwittingly subsidizing the Chinese military, and, as I said, help the American worker by promoting human rights abroad.

Once again I want to thank my colleagues for their attention, both here today and their courtesies in the course of this deliberation.

Mr. MATSUI. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, we are arriving at the last and the final twist in this debate, which has gone on for some time today, and which surely has taken a number of twists.

Mr. Chairman, I would suggest to you that the Pelosi amendment, the Pelosi bill, is in some ways a worse alternative than the Solomon approach which at least has the advantage of being a straightforward revocation of most-favored-nation status for China.

Partial revocation, as this legislation would have us do, is in some ways the worst possible change that we could make. To try to limit most-favored-nation status to only those companies that are completely Simon pure in being privately owned, not having a government subsidy, not being owned in part by the People's Army, is an almost impossible task to administer, as I think most of us on reflection in this body would agree.

Customs itself has said that it is almost impossible for them to determine what is and what is not owned by the government or by the People's Army. We can just imagine what would occur in terms of creating shall corporations that would be owned by somebody, but would still be owned by the army. It is going to be impossible to administer this.

In the meantime we have had a vote, a positive vote, on the Hamilton substitute, which expresses our support for human rights, which recognizes that human rights can be promoted by involvement, by trade, by interaction, by staying engaged with another country.

The House of Representatives and the Congress of the United States has traditionally been bipartisan on foreign policy and trade. This action today in support of Hamilton continues that tradition.

So I urge my colleagues to support the bipartisan approach that we have adopted here today, to say that we do support human rights, but we support human rights in China by continuing to be engaged in trade with China.

Mr. Chairman, I urge my colleagues to vote no on the Pelosi substitute.

Mr. MATSUI. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I want to first of all commend the gentlewoman from California [Ms. PELOSI], certainly the gentleman from Indiana [Mr. HAMILTON], the chairman of the Committee on Foreign Affairs, the gentleman from Illinois [Mr. CRANE], and the gentleman from New York [Mr. GILMAN], the ranking member of the Republican side. I think this debate was a very fruitful one, and I think everybody has gained from it. Certainly I think this is an issue of national import, and one that all of us well remember for some time to come.

I want to divide my remarks very briefly into three areas on the issue of military and proliferation of weapons by the Chinese. What is very, very interesting is that since the United States has been engaging the Chinese, since the United States has been trying to get the PLA to move from a military-industrial base to a consumer-based economy, we have now seen over 50 percent of the former military-run companies now engaged in consumer goods.

In fact, the Secretary of Defense has sent to every Member's office in the last 3 days a letter basically saying that he is embarking on a major military conversion effort with the Chinese. In October the Chinese military leaders will be coming to the United States for the purpose of talking about further conversion.

□ 1910

So if Members want to stop the proliferation of weapons, then vote down the Pelosi amendment.

Second, let me talk about economic leverage, if I may, because everybody is talking, rightfully so, about the trade deficit. We have a $22 billion trade deficit with the Chinese at this particular time. It is growing and we know it could be $30 billion this year.

The reason that we have not been able to engage the Chinese to open up their markets is because unfortunately, our entire relationship with the Chinese over the last year and a half has been defined by MFN and the issue of human rights. We cannot have it both ways. We cannot say that we want to open their markets up and spend all the time arguing about human rights. We have to deal with the trade issue by trying to open up their markets, and then also we need a multilateral discussion with the Chinese by talking about human rights, by uncoupling the issue of trade.

Let me last talk about the issue of human rights, because that is why we are really here, and I believe the gentlewoman from California [Ms. PELOSI] has done a wonderful job heightening this issue with respect to the Chinese.

There is no question the Chinese have over the years been very repressive in their government. At the same time, I think all of us will acknowledge that if Richard Nixon and Jimmy Carter did not normalize relations with the Chinese, the dissidents sitting in the audience would not be sitting here today. We would never have the scene at Tiananmen Square because normalizing relations with the Chinese has opened up trade with the Chinese and commerce with the Chinese.

In fact, Don Kennedy, the former President of Stanford University, said this three years ago, that we have over 45,000 students from China per year coming to the United States, visiting our universities and colleges. They are now exporting from the United States into China democracy and our way of life.

If Members really want to improve human rights, they need to engage them, not isolate them from us and the rest of the world.

I urge a "no" vote on the Pelosi amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I thank the gentleman for yielding time to me.

Let me remind my colleagues, first, that we are proceeding under a king of the hill procedure, so I urge very strongly a no vote on Pelosi, even though we had a very solid vote a moment ago in support of the Hamilton amendment.

Some have suggested that it is possible to vote for both of these. But I want to say that the two approaches in the Hamilton and in the Pelosi amendments cannot be reconciled.

One approach is an approach of engagement. That is the President's policy. That is the Hamilton amendment. The Pelosi amendment is a policy of confrontation. The choice is simple and it is clear, and we cannot reconcile these two amendments.

Let me say that I think the Pelosi amendment damages our national security interests, damages our economic interests, will do nothing to improve human rights in China and is unenforceable.

Listen to the Secretary of Defense, and I quote him, "in the context of the deteriorating relationship that would inevitably result from the passage of this bill," referring to the Pelosi bill, "important U.S. security interests would be undermined." And he lists them: North Korea, sanctions at the United Nations, Taiwan and arms sales.

The Pelosi confrontational amendment would seriously undermine our economic interests. Listen to the Secretary of Commerce, and I quote him, "passage of Pelosi would have potentially devastating consequences on our current exports.

And the Secretary of State says that the Pelosi bill would create chaos in U.S.-China trade.

If we adopt the policy of confrontation offered by the gentlewoman from California [Ms. PELOSI], we will not persuade the Chinese to ease up on human rights. We will not persuade the Chinese to cooperate more fully in stopping North Korea's nuclear program. We will not serve our economic interests. Confrontation will not help U.S. companies. It will not help U.S. workers. Confrontation will not give us the leverage that we need in the global community.

The President's policy is one of engagement here. It would give us the leverage we need to press North Korea in the UN Security Council. It would give us the leverage we need to open Chinese markets. It would give us the leverage we need to encourage the liberalization of Chinese society.

What we are trying to do with this policy of engagement is to draw China into a web of cooperation; that is one of the most difficult things to do in the conduct of foreign policy. Engaging China serves our interests economically and politically and strategically. And it will make us a key player in the most important question in China today; and that is the transition of leadership.

I urge Members to support the President's policy of engagement, to reject the policy of confrontation, to vote "no" on the Pelosi amendment.

Ms. PELOSI. Mr. Chairman, I yield the balance of my time to the gentleman from Missouri [Mr. GEPHARDT], the Democratic majority leader, a champion for workers rights in the United States and human rights abroad.

Mr. GEPHARDT. Mr. Chairman, first I want to commend the gentlewoman from California [Ms. PELOSI] who has been the spiritual and real leader of this effort. I want to commend the gentleman from Michigan [Mr. BONIOR], and the gentleman from Virginia [Mr. WOLF], and the gentleman from New York [Mr. GILMAN], who have been also great leaders on this subject.

I rise today to ask my colleagues to support the Pelosi bill, to stand up for human rights in China and economic rights here at home.

For more than 5 years, ever since the brutal state-sanctioned terrorism of Tiananmen Square, this debate has raged here in this Capitol. Make no mistake, this debate is about more than our wallets. It is about our will as a nation and as a people.

Should America use its economic might to stand up for human rights? Should we demand for the people of China the basic rights and justice that we cherish for ourselves and our children? And when America says that we care about human rights, when we say that we care about a people who suffer physical torture and forced labor and political persecution, do we mean that we care only when it is convenient for us?

In 1988, I traveled to China and met with many of the students and workers who asked for human and civil rights. Their feelings seemed to me to be irrepressible, undeniable. And just one year later we all watched as the tanks rolled across at Tiananmen Square. I returned to China with some Members this January and, believe me, when you tour the factories and walk the back alleys, you can feel, palpably feel the yearning of the people of that country for freedom and for civil rights.

I sat with the president of their country and listened to him as he said, "We know that America likes to threaten the removal of trade preferences," he said, "but when push comes to shove, we know that you will never, ever do it."

Today, my colleagues, we are asking Members to prove him wrong. We are asking Members to send this message to the government of China: that when they refuse to even negotiate with the Dalai Lama on behalf of the people of Tibet, when they refuse to release even those political prisoners with grave medical conditions, and when they read the riot act to the young patriots who are fighting for freedom and workers rights, America is not going to pick up the tab.

□ 1920

I am asking you to send a message to the working people of America as well: That they should not have to compete

with forced labor, prison labor. You see, this is a moral issue, but it is also an economic issue. How can the United States possibly compete with people who are working in prisons? How can we compete with a nation that refuses to adopt even modest, internationally recognized labor laws?

Given these rampant abuses, is it any wonder that we have a trade deficit of $25 billion, on its way to $30 billion, probably on its way to $40 billion or $50 billion?

I think this bill is reasonable and fair. By selectively removing trade preferences, by carefully targeting our aim at the people that have the power to change the policies, we stand the best chance of real progress.

Mr. Chairman, some say it is the wrong approach. They say we need to tap into China's growing market of 1.2 billion people, that this will lift the people of China up, and it is the only way that we can get democracy.

While we can never ignore the fact that development breeds democracy, neither can we abandon our commitment to democracy through development.

Mr. Chairman, the notion of a "trickle-down" trade policy, one in which all political and social reforms flow freely from the marketplace, is not just simplistic, it flies in the face of history. Mr. Chairman, just think, just think of where we would be in South Africa today if America had not stood for the moral rights of the people of South Africa. Let me tell the Members where we would be. Nelson Mandela would be in a prison, he would not be the president of South Africa, if America had not stood for the moral and legal rights of the people of that country.

Finally, Mr. Chairman, the question we have to ask is, if we will not stand for the rights of the people of China, who will. If we let down the people of China, what do we say to the nations that look to us for hope and inspiration and leadership? Do we say that our principles are still strong, they are just hiding for a while behind a sign called "For Sale"?

Of course, international trade is about dollars and cents, but it is also about people and it is about principles. If we abandon our commitment to the freedoms that are the very foundation of free markets, then we trade away everything that our country stands for.

Mr. Chairman, more than 170 years ago, Thomas Jefferson wrote that "this country remains to preserve and restore light and liberty" for the nations of the world. "The flames kindled on the fourth of July, 1776," he wrote, "have spread over too much of the globe to be extinguished by the feeble engines of despotism; on the contrary, they will consume these engines—and all who work them."

Vote for this bill. Vote to let the whole world know that when it comes to human rights, when it comes to human decency, the United States will always be the light of liberty—and in that endeavor, we yield for no purpose and we yield for no price.

Mr. GUNDERSON. Mr. Chairman, today as we debate whether to revoke or restrict most-favored-nation [MFN] trade status to China I think it is important that we understand the policy the United States has followed and why we are still debating MFN in 1994.

The United States first granted MFN to China in 1980. At that time, China had shown that it was serious about implementing pro-democracy reforms. Commerce prospered. Human rights appeared to improve.

Then, in 1989, the world watched in horror as a massive pro-democracy demonstration in Beijing's Tiananmen Square turned into a government-led massacre. President Bush implemented sanctions against China to express the disapproval of the United States. But the true measure of disapproval was voiced by the Congress.

As a result of the Tiananmen Square incident, I joined with my colleagues on both sides of the aisle three times over the past 4 years to try and revoke MFN. I believed strongly that revocation would help make China accountable for its actions in 1989 and to curb future abuses. Each time the House and the Senate succeeded in passing legislation to revoke MFN status, however, the President vetoed it.

Today, Tiananmen is 4 years old and times have changed—few of us believe that a complete revocation would succeed in punishing China for its 1989 atrocities. Without a doubt, the expansion in United States-China trade has had positive effects on many aspects of life in China. Unfortunately, measurable improvement in human rights is not one of them. In fact, in the last 6 months, human rights conditions in China have arguably deteriorated.

President Clinton announced in June that the United States would extend MFN to China and de-link trade and human rights. At that time, I announced that I would support the President's decision to extend MFN unless China indicated it would not support United States security interests in the region. The direct motivation for my statement was the potentially explosive situation in North Korea. Recent press accounts have proven, however, that China has contributed to North Korea's military buildup by transferring advanced missile technology to North Korea. This action demonstrates that China is actively opposing United States security interests in the region. Consequently, I can no longer support the President's determination wholesale.

If we continue business-as-usual with China, human rights may improve as personal income and personal freedoms improve. The most sure way to encourage human rights improvements, however, is to provide the Government with an incentive to actively change its human rights policy. And we must do so without compromising the substantial amount of trade which we conduct each year. In my opinion, we must find a middle ground approach—one that allows most trade to continue while attacking those enterprises that are guilty of the most severe abuses. I believe that the Pelosi alternative achieves that reasonable approach.

The Pelosi approach focuses on sanctions where it will hurt most, on the military-run enterprises which manufacture military and civil goods and on certain state-run enterprises. These are the enterprises which fund the expansion and modernization of China's armed forces or which employ forced labor and engage in human rights violations. The Pelosi alternative also calls for the President to include an assessment of China's progress on human rights, exports which use convict, forced or indentured labor, unfair trade practices, and weapons proliferation.

Most important, the Pelosi bill focuses on improving the lives of ordinary Chinese people that have fought for democracy in their country. Restriction of these goods will have a measurable effect on these Chinese industries, and also on the human rights record of the Chinese Government.

Mr. STOKES. Mr. Chairman, I rise today to express my strong support for the Pelosi substitute to H.R. 4590, a bill to disapprove most-favored-nation [MFN] status for products of state-owned-enterprises in China. I also want to take this opportunity to commend the gentlewoman from California, Representative PELOSI, for her steadfast determination, and tireless efforts to keep this issue before our Nation's leaders, and for bringing this legislation to the floor today for a vote. Many of us in the House of Representatives have come to rely on Representative PELOSI for her leadership on this issue over the past 5 years, and we look to her as our conscience and our guide. This gentlewoman deserves the thanks of all the Members of this House for her unwavering support of human rights and democratic reforms in China.

It is absolutely imperative that this House insist that the United States Government not reward the Chinese regime which brutally massacred pro-democracy demonstrators in Tiananmen Square just 5 years ago with carte blanche on the importation of their goods into our market. Granting most-favored-nation status to all Chinese products rewards the Chinese regime for its intransigence on human rights, and its refusal to engage in fair trade.

The Pelosi substitute to H.R. 4590 is carefully targeted to send a strong message to the Chinese Government that continued suppression of human rights, production of export goods through forced prison labor, flaunting of international agreements on nuclear nonproliferation, and engaging in unfair trade practices cannot be tolerated, nor ignored, nor rewarded. Denying most-favored-nation status for products made by the Chinese military and state-owned-enterprises which rely on forced prison labor to produce their goods is a reasonable compromise to the continuing controversy over trade and human rights policy in regard to China.

Mr. Chairman, despite the arguments of those who support totally unfettered trade with China, the fact remains that trade and human rights are inextricably linked. A nation that suppresses its peoples' human rights also suppresses their wages. This, in turn, leads to an unnatural advantage in trade, which adversely impacts American businesses and workers, and causes the loss of American jobs. In point of fact, the United States trade deficit with China is now over $30 billion a

year, second only to our trade deficit with Japan. Yet, despite the freedom we grant to Chinese imports to the United States, China does not grant most-favored-nation status to United States goods, and continues to bar certain United States goods from the Chinese market. For those who advocate free trade, it seems rather illogical and inconsistent to grant free access to our market to a country which denies free access to their market for our goods.

Nearly 40 percent of China's total exports are to the United States, which means that most-favored-nation status for their goods is vital to the Chinese economy. Therefore, most-favored-nation status is logically the most effective tool for influencing the Chinese Government to improve their record on human rights. If the United States continues to grant most-favored-nation status to Chinese goods, without requiring improvements in human rights, than there is no incentive for the Chinese regime to alter their policies. I ask my colleagues who support unrestricted most-favored-nation status for China to identify what other means we have available to influence the Chinese Government? They cannot give me an answer, because they have no answer.

Mr. Chairman, I strongly urge all my colleagues to insist that the United States stand up for the principles of human rights, and for the freedom of the Chinese people. Vote for the Pelosi substitute, and send he clear, unmistakable message to the dictators in Beijing, and your constituents, that you believe in freedom and democracy for people all over the world.

Mr. EDWARDS of California. Mr. Chairman, I rise in support of the bill and substitute amendment authored by my dear friend and respected colleague, Representative NANCY PELOSI. This reasoned and reasonable approach to United States-Chinese policy would promote respect for human rights without inadvertently punishing reformists.

No one here can dispute that the government of the People's Republic of China must improve its repressive human rights record. Our decision today is how to achieve that goal.

I side with those who believe that the worst offenders are not entitled to the privilege of most-favored-nation status which is afforded civilized trading partners. Unfettered access to the American market, the largest unified market in the world, is not the answer. Economic growth may help promote openness, but it is not the only factor or the only path to democracy. If it were, you can be sure that the Chinese would not allow economic reform.

By denying MFN to official institutions, we can provide incentives for the government, particularly the military, to divest itself. This would further the interests of the United States which include promoting human rights, democracy, fair trade, livable working conditions, nuclear non-proliferation, regional stability and more. These are the goals we all share. These things will be more difficult to achieve if we do not use the leverage of targeted MFN denial.

The Pelosi bill is workable. The list of targeted enterprises, in fact the concept of targeted denial of MFN, was drawn up by the administration before the undoing of our China policy.

The alternative offered by my colleague from Indiana merely advocates doing what we ought to be doing already: protecting intellectual property, encouraging responsible business practices, and expanding broadcasting to tyrannized societies.

Without the human rights violations, without the prison labor, without the missile proliferation, without the subjugation of Tibet, the Chinese would still be among the worst of our unfair trading partners. China does not afford the United States national treatment, the common denominator among trading partners that entitles countries to most-favored-nation status. China turns a blind-eye to industrial and intellectual piracy. China uses prisoners and laborers in near-slavery to fuel its economic engine. Because of all this, the United States suffers a tremendous $24 billion trade deficit with China.

Confucius said centuries ago, "do not treat others as you would not have them treat you." The Golden Rule, as spoken by the venerable Chinese sage, applies.

The Chinese Government must treat other nations as they would be treated. Perhaps even more importantly, the Chinese Government must respect the Chinese people if it is to deserve respect. We must stand up for the average Chinese, like the man before the tank, and help to put an end to repression. Support the Pelosi amendment, oppose the Hamilton amendment.

Mr. KENNEDY. Mr. Chairman, I rise today in strong support of the Pelosi bill, which will revoke MFN for goods produced by the People's Liberation Army and China's defense trading companies.

This is the principled approach. It is the pragmatic approach.

As a strong supporter of free trade, I do not come to this position lightly. China is not only the world's largest country, but it also has the world's fastest growing economy.

Our relationship with China is one of the most important issues that this Nation faces on the international scene in the years and decades ahead.

Mr. Chairman, as we begin to face that challenge, a simple extension of most-favored-nation trading status—without regard to China's restrictions on imports, their export of missile technology and their performance in human rights—will not advance our values. It will not advance our interests.

Targeted sanctions are justified for many reasons: the Chinese Government acknowledges holding more than 3,000 prisoners for counter-revolutionary activities. This is a mere fraction of tens of thousands of political and religious detainees. They can be held for 3 years without a trial, and that is often extended for another 3 years.

China continues to export products made with prison labor to the United States. Just this spring, the human rights group Asia Watch released a report documenting import to the United States of 100 tons of latex medical gloves inspected by prison labor.

There has been no progress in negotiations between China and the Dalai Lama, Tibet's spiritual leader. There are hundreds of prisoners of conscience in Tibet, including 15 nuns arrested last year and sentenced to up to 7 years in prison.

China has started discussions with the International Committee of the Red Cross [ICRC] about prison inspections, but to date, no prison visits have been allowed. 1993 was the worst year for political arrests and trials since mid-1990 in the aftermath of the Tiananmen Square massacre.

Mr. Chairman, the Pelosi bill strikes the right balance between our interests in expanding trade and in defending human rights.

I thank my colleague from California for her leadership on this issue, and urge a "yes" vote on H.R. 4590.

Mr. PORTER. Mr. Chairman, I commend the gentlelady from California for her constant and eloquent leadership for human rights for the Chinese people. Throughout the years since Tiananmen she has been the guiding light of the Congress on this issue and a beacon of hope for every Chinese person who yearns for freedom.

The United States has emerged from the cold war the preeminent political, economic, military, and ideological power in the world. I believe we have the best opportunity in history to promote human rights, the rule of law, free markets, and democracy—the values on which our country is based—in the far corners of the globe. We must, however, implement the foreign policies that reflect this golden opportunity and advance it.

The Pelosi bill recognizes the need to find a workable means for moving China toward a greater openness and respect for human rights. Our former policy of conditioning MFN on improvements in human rights ultimately failed because it was to broadly drawn and in the end so draconian we would not use it for fear we might well undermine the very influence toward greater economic and political freedom we wished to foster.

The bill that the gentlelady from California offers today, however, is narrowly drawn to target the groups—the People's Liberation Army and the large state-run industries—that are the prime human rights abusers in China. Harry Wu has provided irrefutable evidence that state-run industries use slave labor, and the PLA, which has extensive mechanism used by the Chinese leadership for abuses like Tiananmen Square.

I am cosponsor of the Pelosi bill because I believe it sends a well-honed message to the Chinese that our concern for human rights in China is abiding and strong. I urge Members to support this targeted measure.

Now, Mr. Chairman, taken together, the legislation offered by Ms. PELOSI and Mr. HAMILTON represent a broad-based approach to promoting human rights in China that contains carrots and sticks which, I believe, is how we should be proceeding. I do not believe these two approaches are mutually exclusive, and I support them both.

Unfortunately, the Committee on Rules has made it impossible for the two approaches to both pass today, which I believe is unfair to Members and particularly unfair to Mr. HAMILTON, who has produced an excellent bill. I am particularly supportive of provisions in his bill that encourage the Chinese to enter meaningful negotiations with the Dalai Lama regarding the future of Tibet, Identify preserving the social and economic system of Hong Kong as a very high priority, and authorize additional

funds for Radio Free Asia, for which the house expressed overwhelming support a few weeks ago.

After we have completed action here today, I believe the Rules Committee should reconvene and produce another rule allowing the approach that does not prevail—either Pelosi or Hamilton—to be brought back to the floor for an up-or-down vote. The House should be given a fair opportunity to work its will on this very important issue.

I will support both of these approaches today, which are offered by Members with a deep and earnest interest in improving conditions in China. I cast my vote, however, while protesting the convoluted rule that does not give Members flexibility and will result in the adoption of one approach or the other, and not both.

Mr. ABERCROMBIE. Mr. Chairman, I support the Pelosi amendment to restore the original language of H.R. 4590.

I understand the concerns which have been raised by those seeking to confirm China's MFN status without reservation. I agree that international trade can in some instances be a powerful moderating force in the behavior of governments. I too would like to see United States-China trade grow and flourish. It is important, however, that we avoid the trap of allowing trade considerations to override the question of human rights. To do so in the case of China would signal that we are turning our backs on more than a billion human beings subject to a regime employing tyranny in the service of economic development. For the United States tacitly to encourage that policy by ignoring it only compounds the tragedy.

Some proponents of unrestricted MFN status for China argue that it would be counterproductive or ineffective to express our human rights concerns with this vehicle. That argument is contradicted by the actual experience of other countries where we have linked trade and human rights. Many of the reluctantly granted freedoms in the former Soviet Union, such as free emigration, were won only because the United States made trade preferences conditional on reforms. The Soviets yielded because they were desperate for hard currency. The Chinese Government is in similar need, and Beijing's public statements to the contrary notwithstanding, putting human rights on the MFN agenda will inevitably generate pressure to change policy.

I was an advocate for normalizing United States-China relations long before it became fashionable and I remain a friend of China. It is my high regard for the people of China and Tibet and my profound respect for the greatness of the civilized traditions to which they are heir that moves me to take this position affirming the aspirations of the partisans of democracy and self determination. I believe those aspirations express the will of the people of China and Tibet, including even a large number of Communist Party members. The example provided by his holiness the Dalai Lama and by the Chinese democracy movement embodies the humane spirit which distinguishes civilization from barbarism. As such, it exemplifies a tradition which exalts the power of thought and spirit over force of arms—a tradition which has prevailed against all odds for thousands of years and which I believe will prevail yet again.

The CHAIRMAN. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentlewoman from California [Ms. PELOSI].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Ms. PELOSI. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 158, noes 270, not voting 11, as follows:

[Roll No. 383]

AYES—158

Abercrombie
Andrews (ME)
Applegate
Baker (CA)
Barrett (WI)
Barton
Beilenson
Berman
Bilbray
Bilirakis
Blackwell
Boehlert
Bonior
Borski
Browder
Brown (OH)
Bunning
Burton
Byrne
Cardin
Clay
Clayton
Collins (GA)
Collins (IL)
Collins (MI)
Conyers
Costello
Cox
Coyne
de Lugo (VI)
DeFazio
Dellums
Diaz-Balart
Dickey
Dixon
Dornan
Duncan
Durbin
Edwards (CA)
Engel
Eshoo
Evans
Everett
Farr
Fields (LA)
Fish
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Gejdenson
Gephardt
Gilman
Gonzalez
Goodling
Green
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hefley
Hefner
Hilliard
Hinchey
Hobson
Hochbrueckner
Holden
Horn
Hoyer
Hunter
Hutchinson
Hutto
Hyde
Inglis
Kaptur
Kasich
Kennedy
Kildee
King
Klink
Klug
Lancaster
Lantos
Levin
Lewis (GA)
Lewis (KY)
Lipinski
Lowey
Margolies-Mezvinsky
Markey
Mazzoli
McCloskey
McHale
McKinney
Meehan
Menendez
Mfume
Miller (CA)
Mink
Moakley
Molinari
Nadler
Neal (MA)
Norton (DC)
Obey
Olver
Owens
Pallone
Payne (NJ)
Pelosi
Porter
Poshard
Rahall
Rangel
Richardson
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Sanders
Schiff
Schroeder
Scott
Sensenbrenner
Sharp
Shepherd
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stokes
Strickland
Studds
Stupak
Swett
Taylor (MS)
Taylor (NC)
Torricelli
Towns
Traficant
Underwood (GU)
Unsoeld
Upton
Velazquez
Vento
Washington
Waters
Watt
Waxman
Weldon
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOES—270

Ackerman
Allard
Andrews (NJ)
Andrews (TX)
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Bartlett
Bateman
Becerra
Bereuter
Bevill
Bishop
Bliley
Blute
Boehner
Bonilla
Boucher
Brewster
Brooks
Brown (CA)
Brown (FL)
Bryant
Buyer
Callahan
Calvert
Camp
Canady
Cantwell
Carr
Castle
Chapman
Clement
Clinger
Coble
Coleman
Combest
Condit
Cooper
Coppersmith
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeLauro
DeLay
Derrick
Deutsch
Dicks
Dingell
Dooley
Doolittle
Dreier
Dunn
Edwards (TX)
Ehlers
Emerson
English
Ewing
Faleomavaega (AS)
Fawell
Fazio
Fields (TX)
Filner
Fingerhut
Flake
Fowler
Franks (CT)
Frost
Furse
Gallegly
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gingrich
Glickman
Goodlatte
Gordon
Goss
Grams
Grandy
Greenwood
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hoagland
Hoekstra
Hoke
Houghton
Huffington
Hughes
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kennelly
Kim
Kingston
Kleczka
Klein
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
LaRocco
Laughlin
Lazio
Leach
Lehman
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Lloyd
Long
Lucas
Machtley
Maloney
Mann
Manton
Manzullo
Martinez
Matsui
McCandless
McCrery
McCurdy
McDade
McDermott
McHugh
McInnis
McKeon
McMillan
McNulty
Meek
Meyers
Mica
Michel
Miller (FL)
Mineta
Minge
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Neal (NC)
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quillen
Quinn
Ramstad
Reed
Regula
Reynolds
Ridge
Roberts
Roemer
Rostenkowski
Roth
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schumer
Serrano
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (OR)
Stenholm
Stump
Sundquist
Swift
Synar
Talent
Tanner
Tauzin
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Tucker
Valentine
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wheat
Williams
Wilson
Wise
Wyden
Young (AK)
Zeliff
Zimmer

NOT VOTING—11

Bentley
Clyburn
Franks (NJ)
Gallo
Herger
McCollum
Ravenel
Romero-Barcelo (PR)
Roukema
Stark
Whitten

□ 1943

Mr. JOHNSTON of Florida changed his vote from "aye" to "no."

Mr. DORNAN changed his vote from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. SKAGGS) having assumed the chair, Mr. SHARP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4590) to provide conditions for renewing nondiscriminatory—most-favored-nation—treatment for the People's Republic of China, pursuant to House Resolution 509, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMUNICATION FROM THE HONORABLE WALTER R. TUCKER III, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable WALTER R. TUCKER III, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 1994.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, the Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to rule L (50) of the Rules of the House that Garland Hardeman, a member of my staff, has been served with a subpoena issued by the California Workers Compensation Appeals Board.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

WALTER R. TUCKER III,
Member of Congress.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4907, FULL BUDGET DISCLOSURE ACT OF 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-689) on the resolution (H. Res. 512) providing for consideration of the bill (H.R. 4907) to reform the concept of baseline budgeting, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4906, EMERGENCY SPENDING CONTROL ACT OF 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-690) on the resolution (H. Res. 513) providing for consideration of the bill (H.R. 4906) to amend the Congressional Budget and Impoundment Control Act of 1974 to limit consideration of nonemergency matters in emergency legislation, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4822, CONGRESSIONAL ACCOUNTABILITY ACT

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-691) on the resolution (H. Res. 514) providing for consideration of the bill (H.R. 4822) making certain laws applicable to the legislative branch of the Federal Government, which was referred to the House Calendar and ordered to be printed.

□ 1950

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. POSHARD). Under the Speaker's announced policy of February 11, 1994, June 10, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

INTRODUCTION OF LEGISLATION DEFERRING HEALTH CARE REFORM DEBATE UNTIL 1995

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GEKAS] is recognized for 5 minutes.

Mr. GEKAS. Mr. Speaker, we have said it before, and we say it again: Gridlock has come to the aid of the American public.

Whereas just that few short months ago gridlock seemed to be a bad, distasteful word, it really has come around to be the saving feature of the health care debate.

What do we mean by that? The latest polls indicate a great dissatisfaction on the part of the American public with the various plans that have been floated around for more than a year and a half now. So what do we do? We know that at the present moment in the House there are not enough votes to pass any one of the big proposals that we have been searching for as possible answers to the health care reform issue.

So I have proposed, and I filed before the Committee on Rules, an amendment, a substitute amendment. The House of Representatives finds itself with more than 100 different bills having been introduced on health care. Because we cannot agree on anything, and because the American people feel that we should not be rushing into this massive reform in the last hours of this session, we prefer, and the American people prefer, to postpone the great debate until next year, to think about it, to stand back and see what has been accomplished, if anything, in the formal debates and the informal debates that we have held on the issue.

I myself now have introduced a bill and filed it in the Committee on Rules which I hope they will make in order, a substitute bill, which will defer all debate on the health care reform until 1995, and in the meantime, a blue ribbon commission, much like the one that was formed a few years back to solve the Social Security problems that beset us, and have that bipartisan commission report back by March 1.

What will this commission do in the meantime? They will look over all the plans that have already been instituted, new kinds of reform by the various States in the Union. They will look at what hospitals and providers and insurance companies have already been able to accomplish in funding kinds of reform, and then with the panoply of reform measures that have abounded across the land, the bipartisan commission will be able to make recommendations back to the Congress in order to have us look carefully and slowly at what reform measures we want to adopt.

According to the latest NBC-Wall Street Journal poll, only 31 percent of Americans support passing health care now, while 61 percent prefer waiting until 1995. They do not want us to rush into this. Gridlock has saved the day, we hope.

When Grace Marie Arnett, who is the president of Arnett & Co., which analyzes health policy, was asked about our proposal, the Gekas Commission, she said, "That should have been done from the beginning." Ms. Arnett urged the commission to tell the truth to the American people, that they cannot get something for nothing; let us get a good diagnosis, not just a set of different government solutions. Put the consumer at the center and see what a real health care market can accomplish. Thus far, the people have not been told anything. So says Ms. Arnett, who endorses the concept of the Gekas Commission to wait and see and inspect all of the various proposals across the land before we rush in the last hours of this session to adopt some sort of political health care reform, not a consumer, taxpayer-based, people-back-at-home type of health care reform.

The other thing that must be said, if we do not stand back and look, we are going to be hosed here in this Chamber. Why? Because we have exceptions built into the proposals, an industrial group in New York, a hospital in Houston, a building project in Chicago, all being secreted into the massive new bills

that are being introduced. These special pork projects have no place anytime, let alone in a health care reform issue.

THE UPCOMING ELECTIONS IN MEXICO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. KOLBE] is recognized for 5 minutes.

Mr. KOLBE. Mr. Speaker, I have taken this time this evening to just share with my colleagues a few thoughts about the elections in Mexico which are going to take place in less than 2 weeks.

I had the privilege of being there this last weekend. I had the opportunity to meet with a number of Government officials, to attend some political rallies, to go into some of the States, some of the States where there has been the most dissension including Chiapas, the State where the Zapatista uprising took place just a few months ago.

I think that all of us in this body would agree, and all of us in the Nation would agree, that this election is certainly important to the United States, and so I have taken this time just to share a few thoughts about what is happening in Mexico with my colleagues.

It has been said by commentators, and I think it is arguably correct, that this election is the most important political event in Mexico since the revolution of 1910. This election truly says about the future of Mexico the direction that they intend to take with regard to the political reforms in that country.

My colleagues may know that since 1927, since the end of the revolution and since the formation of the PRI, which is the party of the Government, they have never lost an election, and until a few years ago had never lost any election for a national office or for a gubernatorial election.

Now, in this election this year, a concerted effort has been made by the Government to change the way elections have been held and to make this the most open and the most free and impartial election that has taken place. What is involved in this election is, of course, the election of the President of the country of Mexico, all of the Chamber of Deputies, and three-fourths of the Senate.

They have recently changed their constitution to assure that in every State there will be at least one minority, that is, the second highest number of votes in the Senate will go to the senator of that minority party, so there is guaranteed to be at least a representation of 25 percent or more in the Federal Senate by the minority.

□ 2000

A number of major economic reforms have taken place in the last 10 years under the leadership of President Salinas and his predecessor. But now what we are looking at is the next step, real and significant political reform, which is truly the last and most important step towards democracy in Mexico.

I think any of my colleagues who have the privilege to go there and to see what is happening would agree that at the very least the technological changes that are taking place in this election are very impressive. The Government of Mexico has spent or is spending $2 billion, let me repeat that again, $2 billion, on the infrastructure of this election.

That has to do with making sure that the voter lists are probably the most up-to-date in any major country of the world. I think they would be considered so by anybody in this country; that every person in Mexico has a tamperproof card with a hologram on it and a photo in it; they are going to be able to have poll workers picked at random observing and controlling the polls at every single location. They also have a new federal election commission that for the first time consists of six individuals selected by the Congress itself from a list of private citizens, not from political leaders but private citizens. Everybody on all sides agree that these citizens who control this election commission are the most unbiased and best group that could possible be put together to oversee the elections in the country of Mexico. These are individuals who are intellectuals, media leaders but who do not have an ingrained bias for one party or the other.

There are, as my colleagues may know, three major parties and several minor parties that are contesting this election, but let me just touch on the three major parties.

Of course, the PRI, headed up by Mr. Sedio as a candidate, who replaced Mr. Colosio after the tragic assassination of that individual. He certainly has all the trappings not only of the Government party but also has all the machinery of the organization.

Mr. Speaker, in the course of the next couple of days I will have an opportunity to share more with my colleagues about this election and its importance, and I hope that my colleagues will follow this very closely because it is very important to the future of this country.

A-TO-Z LEGISLATION

The SPEAKER pro tempore (Mr. POSHARD). Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, tonight I rise to speak about the A-to-Z legislation. A lot of people have misconceptions about A-to-Z and the related debate to it. I thought it was important as we discuss crime, as we discuss GATT, as we discuss health care, not to let A-to-Z get caught and fall through the cracks.

The discharge petition for the A-to-Z spending cuts bill has 209 signatures, and I have started to get some letters about it from people back home who are saying, "Don't support A-to-Z because it will put my COLA's at risk." In truth, what the A-to-Z does, I think, in the long term is gives the Congress an opportunity to preserve COLA's or other spending that may be affected or may be worthwhile. What the A-to-Z spending bill does is simply allows Congress to lay on the table particular ideas and areas that we could cut the budget on and give specifics.

As a newcomer to Congress, one of the things I have been amazed at and a little frustrated with is if you have a $10-billion bill and you cut a $1-billion item out of it after 2 or 3 hours of debate on the floor of the House, the bill does not reduce to a $9-billion bill, it just stays at $10 billion, and that $1 billion becomes unearmarked and then it gets in conference committee and it can be split any way that they want to. I do not think that is what the American people have in mind when they say cut spending and cut this particular item.

The other thing that frustrates me is that when we in Washington—and this is not unique to Congress, this seems to be everybody inside the beltway of this town—when we talk about cuts, we are not talking about cuts, we are talking about a decrease in the projected increase.

Going back to the $10-billion legislation again, what happens if we say, "Yes, but we cut it a billion dollars," what we really mean is we thought we were going to spend $11 billion but instead we spent $10 billion and that is a cut, even though last year the total bill was $8.5 billion.

You know, when we cut our budgets back home, when my wife and I sit down and decide what we are going to cut and I say, "Well, Libby, you need to quit going to the gas station, quit eating out so much, maybe instead of spending $30 this month at fast-food, maybe you can spend $28." And then she says, "No, I think most of the cutting ought to come from your side of the pocketbook in the family and you need to quit going on so many fishing trips," and so forth. That is what a cut is in the real world, spending less money this year than you did last year. But not in Washington; it only means you are not going to spend as much as you might spend, a decrease in the projected increase.

I think what the A-to-Z bill would do for Members like me and many other Members is give us an opportunity to vote on some of the things that we see as fat. For example, I think the franking privilege is somewhat abused. I

have a lot of franked pieces of mail that have gone out suspiciously close to election time that look like a dog-gone ad campaign brochure. Well, that might be great for some Representatives, but to me it is something we ought to cut out. I think we ought to put it on the table to cut down.

IRS could crack down on rent subsidies. That is something we could lay on the table. The helium reserve plant, we have been debating that since probably the beginning of the Congress. Our country is 218 years old, and I think as soon as helium was invented, we have been debating cutting back on it. But we seem to spend about $700 million a year on the helium reserve plant.

Let us put that on the table and vote for it.

Money spent on illegal aliens, these are things that would all come to light and come to the floor for a full debate if A-to-Z passes. The idea behind it is not that these programs are bad, it is just that we have 435 Members of Congress, and some of us feel some things are waste and others might see it as they're being good. Of course, the standard joke is my economic development is the next guy's pork.

Well, A-to-Z would sort of let us have a good debate on that. I hope that as this Congress goes through health care at this breakneck speed we are traveling on now, that we do not forget we have a significant piece of legislation that is still in need of signatures on the discharge petition and still needs to come to the House floor for a vote.

GIVING CREDIT WHERE CREDIT IS DUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 5 minutes.

Mr. WELDON. Mr. Speaker, we have seen over the past several years disasters wreak havoc all across America. I rise tonight to recognize special unselfish responses of constituents of my district to three specific incidents.

While we have havoc caused by these disasters, oftentimes they bring out the best in people.

The first instance was a tornado that touched down in one of my communities a few weeks ago in the small town of Royersford. Then it jumped over several other areas and came down again in the town of Limerick, where it resulted in the deaths of one entire family, three individuals, the Thompson family, husband, wife, and young baby. It caused terrible devastation in the community of Limerick. I spend Saturday, July 30, in that community and was overwhelmed by the response of the local fire department, the neighboring fire departments, the emergency response crews, the American Red Cross. Dave Acres, the chairman of the board of supervisors in the town, and the commissioners and elected officials in Royersford, they all did what we would expect, and that is they handled the situation in a very calm and efficient manner. We should properly recognize those efforts.

I will insert the names of all those involved in the RECORD so that we can properly acknowledge them.

The second incident involved a group of about 100 volunteers who left my district on Friday to travel to Newton, GA. They represent about 30 fire and EMS departments and are down there for the entire week; as a matter of fact, about 10 days. They are involved in cleaning up homes, removing mud and debris and helping these people get back on their feet, from the terrible devastation of the flood that occurred in that community.

The project is called Delaware County Cares. It is an outreach effort by our local volunteer fire departments, much like we saw in the midwest floods that occurred a short time ago.

For that, these fire fighters and these volunteers deserve our praise and recognition.

The third incident involved a volunteer effort to Sarajevo by one of my constituents by the name of Michael Santillo. Mike went over to Sarajevo and spend about 2 weeks working with the emergency responders in downtown Sarajevo.

□ 2010

For the last year and a half we have worked with John Jordan, who is the United Nations special rep on the ground in Sarajevo. In fact, we sent over two plane loads of relief supplies including four fire trucks, doing it by volunteer fire companies throughout America. Mike Santillo went over to assist in repairing those trucks because they had been damaged, they had been shot up and because they were not able to be of service to the people. Mike went over as a volunteer. He came back. He is home now. I will insert an article that was in the times Herald dated Wednesday, July 27, documenting Mike's efforts in Sarajevo, and I will also be inserting at a later date an entire report from Mike about what he saw, about what his impressions are and what kinds of things we should be dealing with in terms of helping the people of Sarajevo in this very unfortunate and difficult time.

The article referred to is as follows:

[From the Norristown, PA, Times Herald, July 27, 1994]

LOCAL MAN PITCHES IN WITH RELIEF—UPPER MERION'S SANTILLO BOLSTERS U.N. IN SARAJEVO

(By Bob Carville)

Fighting fires is a risky proposition anywhere, but an Upper Merion Township firefighter who returned last week from Sarajevo says it's another level of hell over there.

Michael Santillo of Valleywyck Drive serves with the King of Prussia Volunteer Fire Company and has expertise in large service vehicle repair.

Last fall, he attended a ceremony of the Congressional Fire Services Institute in Washington, D.C., and volunteered for a two-week stint aiding United Nations' humanitarian efforts in war-torn Bosnia-Herzegovina.

The U.N. sponsors a group of emergency-trained professionals called GOFRS (Global Operations Fire and Rescue Services) and it called on Santillo to assist in repairs to fire vehicles sabotaged in the Sarajevo conflict.

"The saboteurs worked overtime destroying these trucks," Santillo said this week.

"They all had dirt in the fuel tanks. One had a .30 caliber round go through it. The electrical systems were short-circuited and sabotaged, and all the hose connections were stolen."

Santillo has been active on local government transportation committees for many years and works as an insurance agent specializing in large vehicle claims for the Reliance Insurance Co. of Philadelphia.

His longtime love of fire trucks and his professional experience assessing damages qualified him for the duty, he said.

Arriving in Sarajevo the first week of July via a U.N. paid flight, Santillo and a team of volunteers with various specialties toiled to restore the U.N.'s local fire company. But efforts to repair the U.N.'s trucks were severely hampered by a shortage of replacement parts, Santillo said.

The volunteers lived in the fire house and ate military rations, which Santillo said were "great for losing weight."

"There are no shops to order these parts in Sarajevo like there are here," Santillo reported. "The U.N. had a kind of makeshift SEPTA garage converted from an old marketplace.

"They didn't have much of what we needed, but we got the trucks running. You just kind of have to find what you need."

And just in time, as it turned out.

After rigging repairs to two American-built LaFrance pumper trucks, Santillo said the firefighters were called to battle a blaze burning out of control for 15 hours at an old Volkswagen factory in Serbian territory.

"It was a tough fight, very tough," he said. "The crews worked without air packs or even a steady water supply of their own, but we brought the fire down after several more hours. It was very, very dark in there.

"We were told through an interpreter after the battle about how brave the Serbian firefighters thought we were," Santillo said. "It was then we learned there was about 80,000 pounds of explosive materials about 10 to 30 meters from where we were standing inside the factory."

But fire, smoke and explosives weren't the only enemies.

"We also found out that while we were inside snipers had fired on us three times," Santillo said.

He said the area is blighted from the constant warring between ethnic factions there.

"An area near the Olympic stadium has been turned into a mass cemetery from the war casualties," Santillo said. "You say to yourself, My God, how many thousands have died here.'"

Although it would probably rank as a major motion picture script, his experience will be recounted in a report to U.S. Rep. Curt Weldon, R-7th Dist., a founder of the Congressional Fire Services Institute and current co-chairman.

"I'm honored to have the opportunity to give my report for the congressman," Santillo said. "I understand he'll share the information with his colleagues as they oversee relief efforts in Sarajevo."

Santillo said he plans to return to Sarajevo in September and he pledged to serve on the international scene "whenever and wherever I'm needed. We're not taking sides; if anyone needs us, we're there."

In the meantime, he has issued a plea for areas fire departments or other sources to contribute spare tools, extra fittings, nozzles, hoses or accessories to the U.N. fire relief forces.

For information on contributions, Santillo recommended contacting him at (610) 992-9063 or 768-8600 or King of Prussia fire chief Gary Touchton at (610) 265-1063.

Mr. Speaker, in our search for real heroes in America we sometimes get lost. More often than not the real American heroes in this country are right in our backyard. The kind of people like the Mike Santillo's, and like those volunteers that are down in Georgia and Newton, and like those individuals who respond to the tornado in Montgomery County and Chester County, PA, these are the people that make our country so great. It is only appropriate that we properly recognize them.

END DEFENSIVE MEDICINE—ENACT TORT REFORM

The SPEAKER pro tempore (Mr. POSHARD). Under a previous order of the House, the gentleman from California [Mr. HORN] is recognized for 5 minutes.

Mr. HORN. Mr. Speaker, one of the most basic of health care reforms that this House should enact is that of malpractice, or tort, reform. Unfortunately, as we wait to see the text of the Clinton-Gephardt bill, the chance to enact malpractice/tort reform—one supported by a majority of Americans—has run aground in the House Committee on the Judiciary.

Although it will not cure all of our health care problems, malpractice reform will take us a long way toward eliminating much of the defensive and seemingly wasteful medicine that is practiced by doctors and other health professionals to avoid the risk of being sued for the mere application of professional judgment. When a doctor can tell by experience and an X-ray what is wrong with the patient, but also orders an MRI to be done at the cost of $1,000 in case he is taken to court by the patient, that is defensive medicine adding cost to the health care bill. This defensive medicine—at an annual cost of billions of dollars—is reflected in the average American's medical bill. Some estimate that 5 percent to 10 percent of our national health care bill is related to the practice of defensive medicine.

Tort reform ensures that when a person is injured through negligent medical care, it is the patient who receives the lion's share of the compensation, not his or her lawyer.

Malpractice reform is a proven success. For proof, one merely has to look at the California Medical Injury Compensation Act—known as MICRA. There is hardly a doctor in California who cannot tell how much his or her malpractice insurance premium has decreased since the implementation of MICRA. Statewide the premiums have fallen an average of 60 percent. That means the average patient's bills do not reflect those excess premiums.

Before the 1975 enactment of MICRA, malpractice premium payments by California physicians totalled more than 25 percent of total premium payments nationwide. After MICRA, premium payments by California physicians have fallen to little more than 10 percent of the national total. That is a stunning decline.

More important, caps on the percentage of a monetary award that can go to lawyers have meant more money for individuals in compensation for the harm they have actually suffered.

Some have argued that this cap will mean lawyers will not take smaller cases. But MICRA has a sliding scale on attorney contingency fees—40 percent of the first $50,000 of the award, 33⅓ percent of the next $50,000, 25 percent of the next $500,000 and 15 percent of any amount over $600,000.

Ironically, last week, the House Committee on the Judiciary took the unfortunate step of writing legislation that would roll back the proven California reform. Gone is any mandatory dispute resolution mechanism—a means to settle these disputes without having to go to court.

Under the committee's language, a lawyer's contingency fee would be capped at one-third of the total award—a provision that would directly undercut stricter caps which have been imposed in various States. The committee rejected on a near party-line vote the quite sensible proposal that damages for such items as pain and suffering or emotional distress be capped at $350,000. Frankly, even $350,000 is too high. Under the California MICRA law, non-economic damages are capped at $250,000. Again, these are caps on payments for emotional distress, they are not compensation for actual and real harm suffered.

Finally, the committee rejected an amendment which sought to restrict punitive damages to cases where it was clear that the act committed by the defendant was based on clear and convincing evidence that the behavior was malicious, wanton, willful, or excessively reckless. What we have instead is no standard and a total preemption of all State malpractice law. If we allow the Committee on the Judiciary's decision to stand, the California success story will be erased. So will the success stories in other States.

Supporters of the Clinton-Gephardt bill claim they want such lofty goals as change and reform. Of course they do right up to the point of addressing proposals that might offend the trial lawyers.

Hillary Clinton, a lawyer by profession, has been touring the country decrying the influence of special interests on health care costs—every interest, that is, but that of her own profession.

It is time to end the finger-pointing and get serious about health care reform. Any bill this House considers must include real malpractice reform that builds on the successful reform we have seen in the States.

THE IMPORTANT ROLE OF STATES IN NATIONAL HEALTH LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. WYDEN] is recognized for 5 minutes.

Mr. WYDEN. Mr. Speaker, I would like to focus tonight on health issues, and I come to the debate as one who since my days as co-director of the Oregon Gray Panthers has really looked forward to this day when we would be debating national health care legislation on the floor of this body, and I come tonight especially to focus on the important role that the States have played in moving the health reform effort ahead during these long years when Congress has been unwilling to act. Fourteen State have now enacted major health reform laws or are in the process of enacting major health reforms. These reforms are as diverse as the States and the people who live in them, but the bottom line can really be distilled into four simple truths.

First, our States have cast the tough votes, enacted health reforms, and our States and the legislators who fought for these reforms have lived to tell about it.

Second, our States have found millions of citizens who are in crisis and in desperate need of health care reform.

And third, we know that our States can help more people get better health care sooner if Congress will create a fast track process for our States to get waivers from very complicated and burdensome Federal legislation such as the Employee Retirement Income and Security Act.

Mr. Speaker, what our States want and need from this Congress in national health legislation is an expedited process to be able to insure all their workers through these waivers under the Employee Retirement Income and Security Act. Our States want a program where they can go to one office at the Federal level which is authorized to help speed up these State health care reforms.

□ 2020

The States need a right to have quick and timely answers to their applications for these special waivers, so that they can insure all their citizens without delay.

I proposed such a waiver program in legislation in 1992, along with several of our colleagues in the other body, and I am especially pleased tonight that the majority leader of this body has largely included these provisions, that can help jump start State health care reform, in his legislation.

Now, in beginning this discussion about the important role of the States, I think we ought to first focus on the evidence that the States have shown with respect to how many people in our country are in crisis and want action on health care reform now.

So I am going to read just a few of the headlines that have come out on the first phase of the Oregon health plan. One of them begins, "Health Coverage Stampede. Uninsured Oregonians Inundate New Program."

It goes on to say while politicians in Washington, DC debate the question of whether there is a health care coverage crisis in our country, thousands of poor and uninsured Oregonians have been saying in no uncertain terms that there is one for them. The breadth and depth of the need have been driven home vividly at dozens of small informational meetings such as one at Portland's downtown YWCA.

Here is what our State's largest paper, the Oregonian, reported as well. The headline was "Oregon Health Care Plan Draws Massive Interest." In talking to several of those who participated, they reported, oh, thank God something like this has finally come. Some people say, I haven't had insurance in years. I have been going without. My children have been going without. And the Oregon health plan has been for them.

Now, one of the most striking aspects of what my State has found and so many of you other reform-minded States have found is that so many of those who desperately need health care are families with children, families who work, families with income. This notion that everybody that is uninsured is 20 or 21-years-old and is some sort of a physical fitness pro, or something like that, is belied by the reality of what we are seeing in my State and other States across the country. We are seeing adults, we are seeing families, we are seeing people who have put off desperately needed health care year after year, and now these two-parent families that are struggling are able to get access to decent care.

But the bottom line, Mr. Speaker, is to get health reform faster at the State level we need these ERISA reforms. I urge my colleagues to support the majority leader's bill.

CONGRESS SHOULD NOT RUSH LEGISLATION ON HEALTH CARE

The SPEAKER pro tempore (Mr. POSHARD). Under a previous order of the House, the gentlewoman from Washington [Ms. DUNN] is recognized for 5 minutes.

Ms. DUNN. Mr. Speaker, first I want to thank our freshman Republican class president, BUCK MCKEON, and my colleagues from Michigan, Congressmen KNOLLENBERG and HOEKSTRA, for organizing this special order to address our concerns about the process by which health reform is being considered.

Mr. Speaker, to be candid, President Clinton is right when he says passing real health care reform is the opportunity of a lifetime. The President is proposing a truly historic change to 15 percent of the economy, the 15 percent of the economy that at one time or another affects each and every American. So, this is my concern about the process: Before we can vote on legislation that affects every man, woman, and child, we need to see more than a vague outline of the new Clinton bill.

It took Mrs. Clinton and a committee of 500 over one entire year to devise the original Clinton Government-run health care bill. While I strongly disagreed with the original Clinton proposal, I do appreciate the fact that Mrs. Clinton recognized the complexity of the health care situation and spent a corresponding amount of time crafting a bill.

Our Democrat colleagues, like our Republican colleagues, thoroughly reviewed the first Clinton bill, listened to the American people and discarded the original Clinton bill because it was a terrible piece of legislation.

This is good news for the country. Because the process worked. Elected Members of Congress made a calculated decision based on an in-depth analysis of the information provided. I ask my colleagues to think about it. Mrs. Clinton spent a year developing this bill and Congress spent another 6 months analyzing this bill and making a determination as to its viability. That is how the process is supposed to work.

Now, according to a recent Washington Post report, at the last minute, we have a handful of staffers trying to flesh out the details of the new Clinton bill. I want the American people to think about this: Right now the fate of one-seventh of the economy and the medical care that is provided to your family is being decided by a frantic group locked in a room here in the Capitol. What it comes down to is this . . . President and Mrs. Clinton couldn't put together a viable health care plan in a year and a half, and now the Democrat leadership thinks that it can put one together in 2 weeks. Then, they expect me, you, and all of the other Members of Congress to make a decision on a 1,500 page bill after looking at it for 3 or 4 days. Doctor Clinton, this is prescription for disaster.

Washington, DC is awash with talk of a health care crisis. But, if we can't debate, if we can't deliberate, and if we can't even see the text of the new Clinton bill, we will create a health care crisis. We will create a crisis that will devastate the finest health care system in the world and threaten the health of every family and every American.

WASHINGTON STATE'S HEALTH CARE PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. KREIDLER] is recognized for 5 minutes.

Mr. KREIDLER. Mr. Speaker, I rise to talk a little bit this evening about the bill that passed in Washington State. It is a bill that deals with health care reform. It is health care reform, and it is a bill that will lead to universal coverage of the population in the State of Washington.

I do not come lightly to this issue. This is an issue that I have some familiarity with. For 2 years I was on the commission that studied the issue of health care reform in the State of Washington. As a product of that, we produced a report, and that report then became the basis of the bill that was passed by the Washington State Legislature in 1993, last year.

That legislation is comprehensive legislation. It is legislation that is going to guarantee to every person in the State of Washington that they cannot be denied health care, it cannot be taken away from them, that if things go poorly for them, they are going to be able to rely on their health insurance being there for them tomorrow.

This is not a complex issue. This is an issue that has been debated before this Congress. It was introduced by President Truman many years ago. This is an issue that back about 1970 and the early seventies was before this Congress by virtue of a bill that was submitted to the Congress by then President Richard Nixon.

In fact, in 1972, I earned a Master's in Public Health at UCLA in health administration, specifically with the idea that we were looking at a reformed health care system based on President Nixon's proposal before the Congress.

That, interestingly enough, employed an employer mandate in order to have employers have a shared responsibility with workers.

The legislation that passed in the State of Washington actually follows some of the same concepts that were employed or proposed at the time by then President Nixon. It guarantees universal coverage by 1999, and it starts out and has a requirement that as a minimum employers have a responsibility for shared responsibility with the employee of 50–50, at a minimum.

It also starts out by taking the largest employers first and having them come into the health care system and

provide health care for their employees as a mandate, initially, being the first ones, starting with 500 employees or more. The others are phased in by the year 1999.

It guarantees that there be at least three choices of health care plans. Now, I worked as a clinical optometrist with Group Health Cooperative of Puget Sound, an HMO, for 20 years. Some plan that would be comparable to that would be one of the options.

□ 2030

I think it is a pretty good one, because I happened to work in it. But there would also be fee for service. There would be other types of nontraditional types of HMO's without walls and so forth, which would give individuals the chance to kind of pick their doctors from a whole panel, a minimum of three choices.

It also sets up what are called purchasing cooperatives on a voluntary basis so if you want to purchase health care and you have got money and you want to buy your health care, you could go to one of these and have the purchasing power that large corporations or a government would have, thereby giving you a much better rate on what it is going to cost you for health care.

It also expands a program that we had in the State of Washington called the Basic Health Care Plan. That is kind of a catchall for anybody who does not have access to another plan. This is a guaranteed plan that you would be able to purchase, that will guarantee you certain benefits. Most people probably wouldn't choose it as their first choice, but if they have another plan available to them or another choice, and particularly in the early stages, as we approach 1999 and universal coverage, would you have a chance then to actually get your health care through the Washington Basic Health Care Plan, not that dissimilar from the majority party's proposal here with the expansion of Medicare Plan C.

It also brings about the kinds of market reforms that are necessary for insurance that deal with issues like preexisting conditions. If you have a preexisting condition, you will still be able to get health insurance. It deals with portability, meaning if you leave one job or you are laid off or fired, you are going to have the chance then to keep your health insurance as you move on, either purchasing it yourself or carrying it to next employment situation.

You are also going to have community rating. That means that you as an individual are going to be able to see your rates are essentially averaged with all of the other people in your particular community. So that you do not see people coming in there, large employers or government, and being able to come in and essentially get preferential rates that you are not able to enjoy. Everybody has to pay the same rate in that particular community.

We are also going to reform Medicaid. I would just tell you that this is legislation that can be passed here in Congress. We have done it in the State of Washington, and I urge the Congress to step up and do what the States are already doing.

THE CRIME BILL

The SPEAKER pro tempore (Mr. POSHARD). Under a previous order of the House, the gentleman from New York [Mr. NADLER] is recognized for 5 minutes.

Mr. NADLER. Mr. Speaker, I rise today because one of the true achievements of this Congress, Federal passage of a comprehensive ban on military-style assault weapons, is in danger of being dropped from the crime bill conference report. I believe this would be a terrible mistake—one which would cost the lives of countless innocent Americans. The Members of this House must stand firm and not allow this important life-saving measure to be dropped on the altar of political accommodations.

There are, I realize, many in this body who have serious concerns about the report of the conference committee. Some members will, I know, vote against this bill on final passage. I myself served as a conferee. I declined to sign the final conference report because the Racial Justice Act, which would have provided defendants with the legal right to challenge the racist application of the death penalty—which is widespread and fully documented by our own Civil Rights Subcommittee, by the General Accounting Office, and by numerous scholars—was dropped by the majority of the conference committee despite its clear merit.

These defects notwithstanding, the deletion of the assault weapons ban would be an unforgivable last minute maneuver. Military-style weapons, like the Street Sweeper, the TEC–9 and the AK–47, are favorites of street gangs, drug dealers, cop killers, and the perpetrators of indiscriminate murder.

We must stand up for the police officers in Brooklyn who were outgunned by drug dealers armed with a TEC–9. In Buffalo, there were four assault weapons incidents and two assault weapons related killings in the first 4 months of 1994 alone.

Mr. Speaker, we must not allow the crime bill to come to a vote without this essential, life-saving provision. Children are being murdered on the streets of my city and in every other part of this Nation by weapons which have no business in private hands.

The time has come to put a stop to the killing. We will have, I am sure, a spirited debate on the merits of the crime bill, but we have an obligation to our constituents to ensure that the crime bill does not come to a vote without the assault weapons ban reported by the conferees.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Indiana [Mr. BURTON] is recognized for 20 minutes as the designee of the minority leader.

WHITEWATER INVESTIGATION

Mr. BURTON of Indiana. Mr. Speaker, first of all, I want to say tonight that there are three very courageous and patriotic people in this country who do not let political pressure dictate to them. Those three people are the three Federal judges who rose above partisan politics to appoint a new independent counsel to investigate Vincent Foster's death in the Whitewater investigation. And so tonight I would like to say, on behalf of the American people, to those three Federal judges who have been much maligned because of their choice, congratulations. I think you are very courageous people.

I also tonight want to congratulate Kenneth Starr, who was appointed the new independent counsel this past Friday. Mr. Starr, I have never met Mr. Starr, but I have, over the weekend, read a little bit about his background and looked into his credentials. And he appears to me to be a man of impeccable integrity and a man that I believe will do a good job in investigating everything pertaining to Whitewater. So my congratulations go out to Mr. Starr as well.

I would be remiss if I did not say that I am a little concerned about what some of my Democrat colleagues have said about Mr. Starr.

Mr. Bennett, Robert Bennett, who is President Clinton's personal attorney, has been very busy over the weekend criticizing Mr. Starr for some of the things he said in the past and urging him to recuse himself from being the independent counsel. I find this very strange because if Mr. Clinton and Hillary Clinton and the people in the administration that have connections to Vince Foster and the Whitewater affair, if they have nothing to hide, they should not mind whoever is the independent counsel, because all they have to do is answer the questions pertaining to Whitewater and Vince Foster and everything else. If there is nothing to hide, what difference does it make who the independent counsel is? I think they are concerned because they are afraid he may ask some very, very difficult questions.

Toward that end, I intend to send tonight to Mr. Starr, the new independent counsel, information that we have uncovered in our investigation, information that was not discussed during the Whitewater hearings or was not investigated or, if it was investigated by Mr. Fiske, it was not in his report. So we are going to send that information to Mr. Starr, along with a sworn deposition before a court reporter by the man who found Vince Foster's body, the confidential witness. That sworn statement contradicts much of the Fiske report concerning Vince Foster's death and the position of the body in the park, at Marcy Park. I am hopeful that Mr. Starr will review that along with his staff, along with the other issues that we are raising, and I am confident that he will do a thorough job of looking into it. If he feels like there is no need for further investigation of Mr. Foster's death and his connection to the Whitewater Development Corporation, then so be it. But at least now I am confident that we have somebody as independent counsel that will review all the facts, ask all the questions, and get to the bottom of it.

□ 2040

Tonight, Mr. Speaker, I would like to talk about another aspect of the Whitewater, Madison S&L, and other aspects of the entire investigation that should be looked into.

One of the things that we have found, Mr. Speaker, and I think it has been discussed in some detail previously on the floor, is an attempt to cover up part of the investigation involving a lady named Jean Lewis, who was an investigator with the Resolution Trust Corporation in Kansas City. The Resolution Trust Corporation is the Federal agency that supervises the failed savings and loan institutions around this country.

From 1991 to 1993, Jean Lewis investigated the failed Madison Guaranty Savings & Loan Association in Little Rock, AR. Mrs. Lewis made two different criminal referrals to the Justice Department involving Madison S&L, the Whitewater Development Corp., and Bill and Hillary Clinton, although neither referral directly accused the Clintons of violating the law.

She said that the FBI and the Justice Department officials reviewed her findings and concurred or agreed with them, so it was not just this lady saying these things. The FBI investigated it, as did the Justice Department, and they concurred in what she said.

Let us go into the first referral: September, 1992. She sent the first criminal referral to the U.S. Attorney in Little Rock, AR. President Bush was President. Charles Banks was the Republican U.S. attorney in Little Rock.

The September referral stated that over $100,000 in Madison funds were illegally, illegally, funneled into the Whitewater Development Corp. to pay the company's bills. This is taxpayers' money. It ended up being taxpayers' money, because we had to foot the bill later.

She identified at least a dozen companies that siphoned, siphoned Madison funds to Whitewater. The Clintons were identified as "potential beneficiaries" of the check kiting scheme. Her memos stated that James McDougal's outside partners in Whitewater, including the Clintons, were "intelligent individuals, the majority of them attorneys, who must have concluded," who must have concluded "that McDougal was making the payments for their benefit."

She went on to say "If you know that your mortgages are being paid, but you are not putting money into the venture, and you also know the venture is not cash flowing, wouldn't you question the source of the funds being used for your benefit?"

Another quote: "It was my belief," she said, "that the losses to Madison from the Whitewater account alone could easily exceed $100,000."

U.S. Attorney General Banks took no action on the referral before he was replaced by the new U.S. Attorney who was appointed by President Clinton, and her name was Paula Casey. The second referral took place in September of 1993. Remember, the new attorney down there was a Clinton appointee.

Mrs. Lewis' second criminal referral, filed a year later, charged that Madison Savings & Loan had illegally diverted $60,500 to Bill Clinton's 1984 campaign for Governor. Her referral charged that the campaign was an alleged participant in the illegal conspiracy.

She charged that Bill Clinton's campaign knew of the $60,500 transfer of funds that was illegal from the Madison Savings & Loan. The referral also contained additional information on the relationship between Madison S&L and the Whitewater Development Corp.

Now we go to October, 1993. Paula Casey, the U.S. Attorney in Little Rock, who was appointed by Bill Clinton, formally declined to investigate the first referral from a year earlier. Ms. Casey was appointed by Bill Clinton. She had worked on the Clinton campaign. Her husband was appointed to a State job by Governor Clinton. She decided not to investigate, because she was afraid, I believe, that it might implicate Mr. Clinton.

After Jean Lewis' second criminal referral had been reported in the press, Paula Casey recused herself from the case. She backed away and said she couldn't handle it because she wanted somebody else to, because of her connection to Clinton, but only after it was in the paper.

Justice Department officials in Washington then determined that an investigation had to be opened. Mr. Fiske took over the entire investigation in January of 1994.

Now we go to 1993, in November. On November 10, 1993, Jean Lewis was removed from the Whitewater case, allegedly because of a personality conflict with the attorney in the case. In a letter typed that day, she said she was ordered off the case by "the powers that be."

Now we go to February, 1994. On February 2, after both of her referrals were made public, Jean Lewis was visited by April Breslaw, an RTC attorney from Washington, DC.

According to Mrs. Lewis, April Breslaw pressured her to change her conclusions about Madison S&L and Whitewater, and the contributions to Bill Clinton's campaign, and the $100,000 that she said was illegally used to pay expenses for the Whitewater Development Corp.

Mrs. Lewis said that April Breslaw told her that "people at the top" would be happier if they had answers to the questions about Whitewater that would "get them off the hook".

Mrs. Lewis said that two of the head people April Breslaw was talking about were, No. 1, RTC Deputy Chief Executive Officer Jack Ryan, and RTC general counsel Ellen Kulka.

Jean Lewis recorded the meeting. This is very interesting. She recorded the meeting. Congressman JIM LEACH, ranking Republican on the Committee on Banking, Finance and Urban Affairs, heard the tape and said it substantiated her account of the meeting.

Both Kulka and Ryan work directly under Deputy Secretary Roger Altman, who was investigated last week by the Senate Committee on Banking, Finance and Urban Affairs and the House Committee on Banking, Finance and Urban Affairs. Roger Altman was the RTC's acting director and a close friend of President Clinton.

That very same day, that very same day, Roger Altman had a secret meeting at the White House with White House Counsel Bernie Nussbaum, to discuss the Whitewater-Madison investigation.

Jean Lewis refused to change her views or statements, and sought protection as a whistleblower under Federal law. I hope my colleagues get this.

They sent April Breslaw down there at the behest of Deputy Chief Executive Officer Jack Ryan at the RTC and General Counsel Ellen Kulka at the RTC to try to get her to lay off of the investigation, even though she had already had two referrals sent to the Justice Department accusing the Clintons and others of possible wrongdoing dealing with the Whitewater Development Corp. and Madison Guaranty.

Here are some questions that need to be answered during the Whitewater investigation. No. 1, why did Jean Lewis' first referral sit on Paula Casey's—

President Clinton's appointment as the district attorney down there—why did it sit on her desk down there for over a year without any action taken on it?

No. 2, why did Paula Casey refuse to open an investigation into Whitewater and Madison S&L? Could it be because her husband was appointed to a job by Bill Clinton, or she was a campaign worker for Bill Clinton in 1992?

No. 3, why didn't Paula Casey recuse herself from the first referral? She had a very serious conflict of interest, but she didn't recuse herself until there was an article in the paper that put her on the hot seat, and then she did recuse herself from the second investigation.

No. 4, why did Paula Casey recuse herself from the second referral only after it had been revealed in the press? I believe it was probably because of the pressure of the press.

No. 5, are Paula Casey's actions on this case being investigated by the Justice Department's ethics office? I think there should be an ethics investigation.

No. 6, who sent April Breslaw to Kansas City to meet with Jean Lewis? We know that RTC Deputy Chief Executive Officer Jack Ryan and RTC General Counsel Ellen Kulka, according to this young lady, asked her to tell them to take it easy, to tell Mrs. Lewis to take it easy.

No. 7, why would April Breslaw pressure Jean Lewis to change her statements on Whitewater and Madison S&L?

No. 8, is April Breslaw being investigated by the Resolution Trust Corporation's Inspector General, as I believe she should be?

Let me just say in closing, Mr. Speaker, there are many, many questions about the Whitewater-Madison Guaranty issue that need to be investigated very, very thoroughly. I am very confident now that we have an independent counsel, an independent counsel in Mr. Starr, who will get to the bottom of all of these things. I think the American people are going to be well served.

It is time for all of the questions to be asked, it is time for all of the questions to be answered regarding Vince Foster's death, his connection to Whitewater, these apparently illegal contributions to the gubernatorial campaign of Bill Clinton, and the American people, I think, will only be happy, and I know that I and many Members of Congress will only be happy when these questions are asked and they are answered.

Finally, let me just say to my Democrat colleagues, they should not be concerned, Mr. Bennett should not be concerned, about who the independent counsel is unless they do not want questions asked and they do not want to answer the questions.

All Mr. Starr can do is investigate and ask questions and get answers, and if there is nothing to hide, they should fear nothing. The questions should be answered.

Mr. LAROCCO. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I am pleased to yield to the gentleman from Idaho.

Mr. LAROCCO. Mr. Speaker, how many of the gentleman's colleagues voted for the independent counsel when it was here?

Mr. BURTON of Indiana. I will be happy to answer that question.

Mr. LAROCCO. How many?

Mr. BURTON of Indiana. Many were very concerned because the Democrats on your side changed the law to allow not only Mr. Fiske to be special counsel, but independent counsel. Before that time, and the gentleman may recall this, before that time, there was a prohibition against anybody in government being appointed independent counsel.

□ 2050

But the Democrats on your side, apparently to try to keep a lid on Whitewater, decided to appoint Mr. Fiske, or asked that Mr. Fiske, the special counsel, also be appointed independent counsel and to change the law to that effect. And I and other people on my side of the aisle came down here into the well and debated very vigorously saying that would give the appearance of impropriety and the appearance of a coverup. Nevertheless, almost on a party line vote, your side voted to make Mr. Fiske, or allow Mr. Fiske to not only be the special counsel but the independent counsel. So that is why we voted against it.

Mr. LAROCCO. So how many were there? I did not hear your answer. How many voted for it?

Mr. BURTON of Indiana. I have no idea. I hope that none of us voted for it because I believe there was a deliberate attempt on the part of the Democrats to have the special counsel, Mr. Fiske, be the independent counsel, and the beauty of this thing is that the three-judge panel decided to turn down Mr. Clinton's Attorney General Janet Reno's recommendation that Mr. Fiske be the independent counsel.

God blessed those three judges because they have appointed a man who will, I believe, get to the bottom of it, will not be pressured by anybody, and is truly going to be an independent counsel. And many of us questioned, because of Mr. Fiske's ties to Bernie Nussbaum and other things, that he was truly independent.

I will be happy to answer any other questions.

Mr. LAROCCO. The gentleman did not answer my question, but basically the gentleman in the well said he was pleased with the appointment of Mr. Starr.

Mr. BURTON of Indiana. Right.

Mr. LAROCCO. But basically Mr. Starr would not have been appointed by the three-judge panel if the minority and the Republicans had gotten their way because they had not voted for the independent counsel. So we would not have had the independent counsel that the gentleman is so happy about if the Republicans had gotten their way. So really we have the independent counsel in Mr. Starr that you are so happy about because the Democrats voted for the independent counsel. Is that correct?

Mr. BURTON of Indiana. If I might reclaim my time, let me just say that we were for the independent counsel statute.

Mr. LAROCCO. But did not vote for it.

Mr. BURTON of Indiana. We were for the independent counsel statute, but we were not for a convoluted, manipulated independent counsel statute that the Democrats tried to ram through this place and did ram through in order to make Mr. Fiske not only the special counsel but the independent counsel so you could keep a lid on the Whitewater investigation. And the thing that really blows the mind of Mr. Bennett, and Democrats are complaining all across this town right now, the thing that blows their mind is they passed an independent counsel statute that they thought would keep a lid on this thing and it was changed by the three-judge panel who picked somebody else, and they are upset about that.

Mr. LAROCCO. If the gentleman would yield further to me, under the terms of the independent counsel resolution that was passed by the House of Representatives. That is how they came into play. If we had not passed the independent counsel resolution here, then Janet Reno would have had the authority that she always has to name an independent counsel or special prosecutor. But now because of the work that we did here in calling for an independent counsel, the three-judge panel was able to pick this qualified Republican that you are so happy about. Also Mr. Fiske had impeccable Republican credentials. Now Mr. Starr does as well.

Mr. BURTON of Indiana. If I may reclaim my time, let me just say that I have heard the Democrats on every talk show in this country from the White House on down talking about Mr. Fiske's impeccable "Republican credentials." And Janet Reno, the Democrat Attorney General, picked Mr. Fiske. Mr. Fiske was tied to Bernie Nussbaum. His law firm was tied to the Whitewater Development Corp., the Arkansas Development Financial Authority and everything else which we have laid out on this floor night in and night out for over a month. The bottom line is that you folks over there wanted to keep a lid on it. That is why the leadership insisted that the independent counsel statute be changed so that Mr.

Fiske, appointed by Bill Clinton's Attorney General, could not only be special prosecutor but independent counsel. And what chagrins the Democrats from the White House and Bill Clinton's personal attorney all the way down is now you have got a guy in there who is really going to ask the hard questions and really get to the bottom of this thing. That is why I say God blessed that three-judge Federal panel because they were not intimidated by the Attorney General's recommendation or by pressure from the White House or anybody else. They picked a guy who has no connection, none whatsoever, to anybody in the administration or anybody in the previous investigation.

Mr. LAROCCO. If the gentleman would yield one more time to me.

What the gentleman should say is God blessed the Democrats that passed a bill that gave this three-judge panel the authority to now name somebody that you are in agreement with.

Mr. BURTON of Indiana. Let me just give you a pat on the back, OK? Let me just say this. I think the pressure that was created by the people of this country, the media and everything else forced the three-judge Federal panel being incorporated into the legislation on the special counsel. I think that is fine. I think that is great. I would like to pat the Democrats on the back for passing the independent counsel statute even though they tried to fix it so Mr. Fiske would be the independent counsel. So congratulations on doing that, but I do not think, and I am confident the American people do not think you got what you really wanted because now we have got an independent counsel that is really going to do a job.

DON'T RUSH THE HEALTH CARE BILL

The SPEAKER pro tempore (Mr. POSHARD). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Michigan [Mr. KNOLLENBERG] is recognized for 40 minutes as the minority leader's designee.

Mr. KNOLLENBERG. Mr. Speaker, this evening I am joined by a number of my colleagues, all of whom are freshmen Republicans, to talk about and participate in some dialog over the sense of urgency that seems to have gripped the administration and the majority leadership in terms of the health care bill by providing very little time at all for any discussion or any kind of debate or dialog, and frankly for very little communication at all with our constituents back home.

Mr. Speaker, in less than 240 hours, or 9 days, the leadership will ask us to vote on a measure that will literally shape the lives of over a quarter of a million people, that is the American people, and help determine our economic vitality. With all this at stake, why should we rush?

The American people, by a margin of nearly 2 to 1, want a quality product, not a politically motivated measure. And in some districts, that can range as high as 9 to 1. The American public deserves to review all the measures that we will be voting on. These plans have long-term ramifications which should not be taken lightly or glossed over with political rhetoric.

Over 200 years ago, this country's founders decided that the lack of informed consent was more than worth the price of war with England. Today the congressional leadership failed to heed this lesson. Members of Congress are obligated to their constituents to be sure we maintain the nature and spirit of our representative democracy. Congressional leaders have already missed 2 of their own deadlines. Yet they balk at our opposition to the rush and the press of the process. We all need to slow things down, thoroughly examine the proposals and make sure that in our rush to solve our health care problems, we do not create economic disaster.

When communities make major economic decisions, these are communities back home, cities and towns that we all come from, decisions such as rezoning or bond offerings, the city leaders give the people several weeks to review the plan and then there is a public hearing. So when a measure that impacts one seventh of the American economy comes to a final decision, it is only logical for all Americans to want to read the fine print. We must give everyone time to review, discuss, and comment on these health care reform proposals.

With the flurry of health care reform measures introduced in this session of Congress, the CBO, the Congressional Budget Office, has certainly had its hands full in making sure that all the numbers were sound. Yet after nearly a year of health care reform that saw CBO producing reports on only 7 proposals, the congressional leadership now expects them to produce accurate numbers on three 1,000-plus-page bills in less than a 3-week period.

So I ask, why the rush? Why jump into this? Why slam-dunk it? Why not provide some time for Members of Congress and the constituents around the country to make some decisions about this bill?

Mr. Speaker, I yield to the gentleman from California [Mr. HORN].

Mr. HORN. I thank the gentleman from Michigan.

Mr. Speaker, when a family in Long Beach buys a car or a young man in Des Moines thinks about joining the Marines or a single mother in Tupelo decides to remarry, they know the choice they make will affect them for years to come.

□ 2100

Therefore, like most other Americans who face difficult decisions with long term ramifications, they follow a thoughtful, careful process, they study the options, they think through the consequences, maybe even they get advice from a few experts and talk it over with friends, or even everyone they run into. So when the Members of the House of Representatives, the people's House, are making a decision which will alter one-seventh of the American economy, should we not follow the same process?

Faced with a House Democratic leadership which appears to have forgotten the way most Americans live, the House Republican freshmen are asking that leadership to do what the people they represent do: apply a thoughtful, deliberate decisionmaking process to the health care debate. The House Republican freshmen urge that the Democratic leadership call a halt to its demands for a rapid, come hell or high water passage of the health care bill, a bill we have not even seen, that they cease their emotional exploitation of the fear of being uninsured, a fear that many of us can agree with and share, and stop ramming through health care legislation which as of now has not even been drafted, has certainly not been printed, and most certainly not carefully studied. We House Republican freshmen want the Congress to follow a simple but necessary process in deciding legislation which will affect most Americans for decades to come.

We seek three simple things. Time for adequate staff work by our own staff, the committee staff, particularly the House legislative counsel which is working all hours of the night now to draft some of the various options which we hope will be before us. And may I say at that point we hope we are not precluded from options by the House Committee on Rules which loves to limit our choices. Even when the American people that sent us here think we can make real choices, we cannot when the majority party stifles options and prevents us from acting as we really should act as legislators who have the range of options before them.

We also want time for the Congressional Budget Office to analyze each proposal, to make a recommendation, a statement if you will to the House by a professional staff as to what the impact of that proposal will be on the annual deficit, on the annual government revenue and expenditures. That is certainly the least that can be done to cast an intelligent vote.

We want time to understand exactly what we are voting upon, and with the bills, as my colleague from Michigan has noted, over a thousand pages apiece, the fact is, under the current schedule, that no one will have had time to read those bills, not even the people whose names are on them. Staff

might have read portions, the paste pot and the stapling machine might have put the portions together, but certainly the average Member has not read them since we still do not have them.

But most important what we want, and why we are here tonight is we want time to discuss the options with the people that sent us here. The people have a right to hear from their representatives what faces them, what those options are, and we want to let them know so we can hear from them what they want us to do in particular cases. This cry for fairness and prudence by the House Republican freshmen is not based on partisan political gridlock. Indeed we do not have that gridlock. We notice recently there is quite a bit of it in the majority. But it is rather a desire to do the best job possible for the people who elected us. We want no hidden surprises, as we have in many bills that come before us. We want a chance to look at the citations to the code so that we can see what is being slipped in that no one ever says. We want no unintended consequences. We want no last-minute insertions by the special interests. We simply want to make the right decision. Is that unreasonable?

The House Republican freshmen urge all Americans who want a fair and deliberate process in the health care debate to contact the House Democratic leadership, call Speaker THOMAS S. FOLEY, say you think the people have a right to hear from the Representatives in their districts after a few weeks of debate of the health care bill and before the final vote are cast. Tell him that the Representatives ought to be given enough time to study the options, to read the bills and to make the best choice.

Whatever decisions are made about health care for Americans will be with us for a very long time. Those decisions deserve the best judgment, the judgments that caused us to be sent here and others not to be sent here. Our people expect no less.

The request we make is reasonable. We simply want to take a little more time to read the 1,000-page bills which will be before us and to discuss them intelligently with our constituents before we vote. We simply want to make the best decision.

Mr. LAROCCO. Mr. Speaker, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentleman from Idaho.

Mr. LAROCCO. Mr. Speaker, are the Republican freshmen supporting any bill? Are you endorsing any bill, and if so when are you considering that bill, and have you had any town meetings like the gentleman from Hawaii [Mr. ABERCROMBIE], and I have had when we were new Members all during our term?

Mr. HORN. I will be glad to respond, and each of my colleagues would be glad I am sure.

No. 1, we have held town meetings. Health care has been a part of those. We are sponsors of different bills. I happen to be involved with the two bipartisan bills. I am not on the so-called Republican bill or the so-called Democratic bill or the single-payer bill. I happen to have been on the Medicare drafting committee 30 years ago as a Senate staff member. A lot of us have spent a lot of time on this issue.

What we want to see are the specifics before we vote.

Mr. KNOLLENBERG. I want to reclaim the time, and I want to suggest to the gentleman from California that I thank him very kindly for those comments. Certainly in speaking to that question we all support some concepts and we do support a bill.

I think tonight in order to give everybody a chance in the Republican freshman group to respond from their particular point of view, from their constituency and from their district, I am going to turn, as I mentioned previously, to a number of Members on this issue that, by the way, more than any other issue that has probably come before Congress in the last two or three decades affects every man, woman and child. So to continue that process, I am now going to turn to the gentleman from Savannah, GA, Mr. JACK KINGSTON.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Michigan. I want to thank also our Democrat colleague for bringing that up. I think it is important to say there is no reluctance by the group of freshmen Republicans to act. We are not afraid of it. We have, many of us have cosponsored the bipartisan Rowland-Bilirakis bill, which I think is excellent. I am ready right now to vote on either one of them.

The Rowland-Bilirakis bill probably, if we put all of the health care bills up on the screen tomorrow, the Rowland-Bilirakis bill would pass with the most votes, and probably have just as many votes from the Democrat side of the aisle as the Republican side of the aisle. I think it is important for us to know that.

I am holding here the original Clinton bill. This bill was introduced last year, and we have had many, many town meetings on that, on the Clinton bill, and at the same time bringing up the Michel alternative, which is the Republican alternative, and then the bipartisan Rowland-Bilirakis alternative. I in my own district had three debates with designated hitters sent down from Washington, the Clinton plan, who were on the health care task force, who came down to actually debate the Clinton's first version of the bill. So we had that time, and it was a healthy time, it was a good debate for the American people.

Here is the new bill which Clinton has introduced in the other body. This one Mr. MITCHELL is carrying for Mr. Clinton, himself, and Mr. KENNEDY. This one is actually fatter than the original bill by maybe 100 pages, but this is the bill our Senators and the gentlemen and gentlewomen in the other body have to be working on in the next 10 days. Tonight they went into session at 6 p.m. for an 8-hour debate on this.

It is ridiculous that the people in the other body think that they are supermen and superwomen anyhow, but to think that they are going to be able to read this, on top of crime, on top of GATT, on top of everything else they have to do is absurd. But they have a bill. We in the House do not even have a bill yet. I understand there is a drum roll that keeps getting louder and louder in the background, but I understand we are going to have a bill tomorrow. Well, I hope we do. That gives us I guess 10 days, and we are going to all say then forget the crime bill, which has not been printed yet, as we all know because there are deals still being cut on that. And in my area crime is a very important issue. I want to be able to read that crime bill, but we have this bill.

Let me say this: I am not afraid of the debate whatsoever. I am afraid of a time limit for the American people, to let the American people, the doctors and the nurses, the health care providers, everyone back home, I think they have just as much of a right to read this bill and the other Clinton-Gephardt bill that is coming out as we do as Members of Congress, and I look forward to that.

□ 2110

Mr. KNOLLENBERG. I thank the gentleman from Georgia [Mr. KINGSTON].

Just, for example, in dealing with things that we all ran on, the business of taxes, this whole thing about spending, Government spending and regulations, and all three of those ingredients are wrapped into all of these various bills that we are going to have to deal with. That takes time. It takes discussion, and it takes debate.

Frankly, the American people should have a right for us to communicate what we know here so they can make some judgments and inform us about what they would like to see in a health care product.

I next want to swing across the country to California and bring on the President of the freshman class, the Republican side of the freshman class, from canyon country, Santa Clarita, CA [Mr. MCKEON].

Mr. MCKEON. I thank the gentleman for yielding.

I want to thank my colleagues here tonight for taking the leadership to bring this effort to the floor.

You know, 2 years ago I was a business man, as you said, from canyon

country, from Santa Clarita, CA, and really knew nothing about the political process. I had served for a number of years on a school board. I had served as mayor of a new city and a member of the city council for a number of years, but that is a totally different process when you are working with five people trying to resolve something versus coming here to this great body and trying to work something through with 435 people.

I went through the campaign process and was elected and came here and began to learn how legislation works. I was appointed to the Committee on Education and Labor, and I was appointed to the Labor Management Subcommittee, and right away we began to hold hearings on different bills, and somewhere, oh, maybe 6 to 8 months ago, I do not remember the exact time now, the President gave a speech on health care, and Mrs. Clinton, Secretary Reich, Secretary Shalala came and testified before our Committee on Education and Labor, and we did not have the bill. The bill that the gentleman from Georgia [Mr. KINGSTON] referred to had not yet come out.

So it was different than the normal process. You normally have somebody who comes up with an idea. They go to legislative counsel. They write it up. They try to go out and get cosponsors, try to develop support for their bill. Then they come here and they drop it in the box over there, and it gets appointed to a committee. Then the committee chairman appoints it to a subcommittee, and then somewhere down the line it gets appointed to hearings, and then people come in and testify on that bill, on that measure. Somewhere down the line it is brought to the committee for what we call markup where we each get a chance to amend and change that bill, and then finally to a final vote in the subcommittee.

This, for health care in our subcommittee, took over a month, with the really extensive process of markup. Then it went to the full committee. We worked long hours. We have good leadership that really tried to let us debate the process. I did not agree with the other side most of the time, but at least we did have a full, open process, and finally, after a few weeks, voted out our bill.

Then the process is it goes to the Committee on Rules, undergoes changes there, and then finally, at some point, arrives at the floor of the House where we can, the full House, debate that bill.

Well, health care has not followed that process, and understand now that, I guess, the bill that we did in Education and Labor and the bill that was done in the Committee on Ways and Means have been kind of set aside, and the majority leader is now writing a bill. We have heard that it was going to be presented Monday, and now we understand that that has slid to possibly Wednesday, and then that bill, when it gets here, I am sure, it will have some things that we worked on in other committees, but it will have some new things none of us have had a chance to study. Then it goes to the Committee on Rules, and we understand it is supposed to come to us next Monday, and that, plus a Republican bill plus 1 or 2 bipartisan bills, plus the single-payer bill, and I add those up to probably 5,000 or 6,000 pages will be dropped in our laps, and we have a couple of days to finally vote on that.

I hope the people in America that are listening understand how this process works better than I did when I first came here, and I hope they want to participate. I think they do. I think they have the opportunity. They should have it to do.

I ask the gentleman from Michigan [Mr. HOEKSTRA], you know, we worked together on this Committee on Education and Labor, and I know you came from a background similar to mine, a business background, not having been in a legislative body before, how has this process seemed to you?

Mr. HOEKSTRA. If the gentleman will yield, it is kind of interesting. I had the opportunity Monday morning to go back to my former employer. We did a press conference, and perhaps on the last piece of legislation that was passed without the Members of this body having read it, which was the Clean Air Act, which is now wreaking havoc on a number of different parts of the country. But, you know, here is the process we are looking at: Comparing the 8 weeks that we spent on markup in our subcommittee and in full committee, that is 8 weeks of, I think, in full committee, we went through, what, 99 amendments, something like 99 amendments. There were 44 amendments, Democratic amendments, that were accepted. There were 11 Republican amendments that were accepted, so 55 improvements to the President's bill were accepted through that process, and now, you know, it was laid out by the Democratic leadership, what, 3 weeks ago, they said, "On August 3 we are going to have the new bills ready."

Let us take a look at why having the bills available is so critical. Of course, we missed that deadline. We said August 3, and we missed that deadline, and yesterday at 6 o'clock, we were waiting to see if the bills would be ready. They were not ready, because the legislative counsel is writing all of these bills. Now, maybe tomorrow, August 10 at 6 o'clock, we are going to have these bills.

Why is this important? What are we talking about literally? I borrowed by colleagues' examples. Remember, right now as our other colleague from Michigan has described it, we have a vapor bill. There is no bill. This is the bill right here. This is all that we have to look at, the vapor bill. But this is what we are waiting for. Remember, these are just kind of a symbol for what we hope to get sometime soon. This is the Clinton-Gephardt bill, or a facsimile thereof, 1,300–1,400 pages. Who knows what the single-payer system is going to look like? That is 1,400 pages.

Then if we go on, we are looking at another 1,400 pages perhaps of a bipartisan bill, and I will be a little fair. I also ran out of bills. But, you know, the Republicans, we are going for less bureaucracy and less new taxes, so ours is only half as thick. Ours is only 720 pages.

But one of these days we are going to be handed this much paper and say, "Here is health care reform, four different versions," and by the way, that is, if we get these, if these bills are turned in tomorrow, then the Government Printing Office is going to go busily to work, and maybe we will have these on Thursday morning, and they are going to say, "Here they are."

I think it would be great if the American people called the Capitol on Thursday morning and asked for their own copies to see if they are actually available. They can do that. All they have to do is call (202) 224–3121, and they can ask a simple question: Can I have a copy of the bill? Or, "Do you have copies of these bills available for my Congressman to read today and to go through?"

Mr. KNOLLENBERG. I just wanted to go back over some things that you said.

It occurs to me that you mentioned that you spent 8 weeks in committee, in your own committee, Labor and Ed, just coming up with one of those bills that came out of the House, your committee, not to mention the full committee, but the subcommittee, which spent a period of time, the full committee spent obviously the balance of that time which totaled 8 weeks. It took 8 weeks, is that what you are saying, to get a bill out of the committee?

Mr. HOEKSTRA. It took exactly 8 weeks. That is after we had had the bill, after we had had hearings, OK, and after we had had an understanding of the bill, it took 8 weeks to mark it up and improve it. Now, we are going to go and start from scratch with four new bills, and we are going to be given 8 days.

Mr. KINGSTON. If the gentleman will yield, could you hold that up a minute, please, so I could see it?

Mr. HOEKSTRA. I have to hold it again? It is kind of heavy.

Mr. KINGSTON. You might join the gentleman from Ohio [Mr. OXLEY] with another broken arm. That really represents 4,000 to 6,000 pages which has to be done in 8 days. No doubt it is fascinating reading, a Tom Clancy type of gripping novel or Michael Crichton that we do not want to put down, but in all reality, how many Members on

either side of the aisle will be able to read that on top of the other duties of being a Representative?

Mr. HOEKSTRA. I think with my staff, as we were talking about this, talking about health care reform and reading the health care legislation, it would be like reading "War and Peace" four or five times in 1 week. It is physically, literally not possible to go through all of this legislation in the time that we have been given, and, you know, that is just to read it. That does not talk about comprehension, because this is legalese.

Mr. KINGSTON. It would be like reading "War and Peace" without the war?

Mr. HOEKSTRA. Without the war.

□ 2120

No comprehension and with all the legalese. We have 8 days. Unbelievable.

Mr. MCKEON. The gentleman mentioned you have 8 days, but as the gentleman mentioned, you still have the crime bill. Remember that was passed a few months ago. I did not go into one more process.

After we pass a bill here in this House, there also has to be a bill passed in the Senate, and then assuming they are not exactly the same—which they will not be—a conference must be called, and they will have to work out the details. You remember, how many months ago did we pass a crime bill? The conference has been meeting, and they have not finished that bill. We have been told that in a couple of weeks it will be brought to the floor for a vote. We have not had a chance to look at that to see that final bill presented.

So we have to work that into that 8 days too. We are also trying to work this. There are still some other things on the calendar.

So it is not just reading that. If we had the time to spend just reading that, we probably could do it. But there are other things. I am not even sure, but that probably will not be done tomorrow. From the latest thing I have heard, it is that because of the legislative counsel being so busy they have not had time to get these done plus get it to the printer. So they probably will slip that date tomorrow.

Mr. HORN. May I ask you gentleman, can any of you think of any, remember any other situation in the year and a half that we have been here where we have had suddenly a bill drafted in the back rooms of the majority leader of the majority party, dumped on the Chamber, and we have to go from scratch as opposed to extensive committee hearings, as all of you have described? Can you think of one other example of where something has been dumped on us, where something has been completely rewritten and we know not what is in it or out of it?

Mr. MCKEON. Not only do I not think of any instance like that, but I cannot think of any instance of anything that we have been involved in—we have been told that NAFTA would be our toughest vote. We have been told the budget would be a tough vote. But there is probably not a vote that we have made or will make probably in the time we are in the House that has as much importance, that reaches every citizen of this country, that has as great an importance as this does, and we are having it shoved down.

Mr. KINGSTON. Is it not true that that huge volume, if it does get printed tomorrow, if it is so good, most Members of Congress would want to go home and brag about it? They would really want to tell the people how great it is, how great a bill it is, how great the crime bill is, and so forth?

So I do not see why we are rushing that particular piece of legislation when, in my opinion, and I think the majority of Democrats and Republicans, the Rowland/Bilirakis bill addresses the emergencies. We can pass health care peacefully with a bipartisan bill, just in the spirit of some of the other bills that did pass by a bipartisan basis around here.

Mr. HORN. It seems to me, listening to you gentlemen, not only has the fact of the voters being insulted by not being consulted because we still do not know what the choices are here—and as my colleague said, one-seventh of the American economy is involved in this decision—this will affect the Nation for a century, perhaps, if it is passed. But the House has been insulted because its normal processes of considering legislation have been violated. We have had no hearings, as the gentleman from Michigan noted, we have had no extensive consultation. We are operating in the blind, we are being told, "Take it or leave it. If you don't like it, that is tough. We have got the votes, and we will override you."

Mr. KNOLLENBERG. Reclaiming my time, I will not yield because we have an order that we would like to continue and only have so many minutes.

I would like to at this point bring on somebody from the heartland who is, additionally, a Persian war veteran, STEVE BUYER, who would like to comment on the process.

Mr. BUYER. Let me just comment on the process. The process, ladies and gentlemen of America, is that this Congress, this body, has become an undemocratic institution. That is the simple fact. So you are talking about here tonight why is it being rushed?

You know, I remember sitting on the Armed Services Committee, going through the "don't ask, don't tell" gay policy. That is what I think is about to be applied to this one.

We are sending the message out to the American people, "Don't ask," and to the Democrats, "Don't tell," because we want to bring this bill in and we want to rush it through and cram it down the throats of everyone because if we had hearings, if we let everybody know what is in these six bills, the American people will not like it." To quote Senator JAY ROCKEFELLER, "We are going to give the American people health care reform whether they want it or not," which means, "Sit back, here it comes."

There are some of us who do not believe that that is the right path.

I respect other Members in this body that come forward and say, "I believe what America needs is a single-payer system."

I respect you because you are honest, you stand up, you step right up and stand up and say, "We need that for America." The ones in America who should scare you to death are those who finesse it, who wiggle it, who wobble it and who will not come out and say it.

And what they want is they want to build America, turn to the left, into a malaise where by the year 2002 they can then say, "See, we couldn't achieve the 95-percent universal coverage. We must now have Government control or a Government takeover of medicine."

As long as I am in this body, I will fight that process. I applaud the leadership of the freshmen here tonight to step up against the leadership in this body who want to cram it down the throats of America. You are serving all your constituents justly and well.

Mr. KNOLLENBERG. I want to thank the gentleman for his comments. I would like to come across town to the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. We need to make it extremely clear we are not against health care reform. We want to go through a good process and solve the problems of health care. That is why last Friday we got together as a group of freshmen and we laid out a rational process that says if we go through this process we will feel better about the end result.

It is very, very possible to have health care reform this year and to do it in a rational way if only some other Members would actually listen to freshmen. We do have some good ideas.

If we would have met the deadline for introducing the bills, we would have had them yesterday. We could have spent the balance of this week going through a walkthrough of each of the bills, having the sponsors outline the bill segment by segment what they did. We could have done it Tuesday, Wednesday, and Thursday. We could have debated a rule and said this will be the process by which we will debate and decide this issue when we come back.

We then could have gone back to our constituents for 2½ to 3 weeks and walked them through each one of the 4 bills because we would have been walked through it here on the floor of

the House. We could have explained it to them very clearly. We could have gotten their input and we could have then come back, we could have been here September 6, September 8, we could have had our amendments prepared, and 3 weeks to prepare amendments.

Now the bills are going to be due Wednesday noon, and by Thursday—Wednesday at 6 at night the bills are going to be done, and we may not have a copy. Thursday at noon we have to have our amendments in place. Unbelievable.

Mr. KINGSTON. What occurs to me as I am listening to this is that since people will be voting on the bill which most people have not read, then will they be voting not on the merits of the bill but perhaps on a deal like the many deals that were passed on NAFTA? Will they vote on health care because of a road in their district, because of a bridge, because of a judgeship or a major contributor? Is that what you think will happen? I have that cynical suspicion.

Mr. HOEKSTRA. I am not sure why they are going to be voting on the bill, but I know one thing: It will not be informed consent that they really understand.

Let me finish the process. September 6 to 8 we could be back here with amendments, we could begin debate on September 9.

We could debate the bill for more than a week, 8 to 10 days, debating the bill, debating the amendments, have a final vote somewhere around September 19. The other body could finish their work, allow a week to 10 days for a conference report, and that would still allow us another week to come back here for final passage. If we are going to stay in session extra, let us stay at the end of the process in October.

□ 2130

There is plenty of time to do this right. There is no reason why we have to wait to struggle through this much material in 8 days, and that is only true if by Thursday morning this stuff is actually printed. I bet we will not have this stuff in our offices until Monday or Tuesday of next week.

Mr. KNOLLENBERG. Reclaiming my time for a moment, Mr. Speaker, I want to refer to something that has, I do not think, been spoken of yet. Mr. HOEKSTRA, even you mentioned amendments. It occurs to me that there may or may not be amendments, and, if there are amendments, they will be very limited, and we are talking about something that the American people probably have very little knowledge of or any understanding of, and that is the proposed rule, and I know that the gentleman from California [Mr. HORN] has written, and talked about and debated this for any number of times.

I ask, "Why don't you give us a little quick picture in the closing moments we have here of what is a closed rule? How does it limit the process? How does it limit our——

Mr. HORN. The word the gentleman forgot to use is I have suffered under a closed rule.

I mentioned 30 years ago I had been involved with Medicare on the Senate side. As I looked over at the House, I swore I would never run for this place. They had many problems. But one problem they did not have that we have now is in those days only 15 percent of the bills came through the Committee on Rules to the floor with a closed rule, and what that means is none of us can get up and offer an amendment unless it has been precleared by the Committee on Rules where the majority, the Democratic Party, has nine appointees, personal appointees of the Speaker. The Republican Party has four appointees.

Now, what is worse of the last few years is we have gone from 15 percent closed rules to last year between January and May 100 percent closed rules, and they average 79 percent for the year, which means hundreds of amendments that people have creatively worked on, would like to offer to improve legislation, we cannot vote them up or down.

I think all any of us ask is, if we have a good idea, let us get it voted up or down, but we cannot even have it considered in this Chamber.

Over the crime bill there were 109 Members that testified before the Committee on Rules. I can tell my colleagues there were not 109 amendments offered on this floor, and a lot of things just went on what we call the cutting room floor.

So, the Committee on Rules at the direction of the leadership of this House simply limits the freedom of the House to function.

Mr. KNOLLENBERG. I yield to the gentleman from Indiana.

Mr. BUYER. The closed rules stifle exchange of ideas in the betterment of legislation?

Mr. HORN. Absolutely.

Mr. BUYER. The creation of state craft must be based upon the intellect. That is why the gentleman from Michigan [Mr. HOEKSTRA] is asking to read the bill. That is all we want to do, is the opportunity for us to take this and to be responsive to those that sent us here, to take these bills back to our districts and say:

"What do you think?"

"How do you feel?"

We are not going to have that opportunity. That is what is sad.

So, when the gentleman talked about the closed rules, he is absolutely right. The Committee on Rules, that is right up here, is going to stack the deck against us.

When we talked about the Rowland-Bilirakis, the bipartisan bill, they may allow us to vote on it, but they stack the deck in such a way that, whatever bill in whatever order they vote on, which is last will pass, so they are trying to structure this in such a way that they cram this down America.

Mr. HORN. On the point that the gentleman makes Rowland-Bilirakis can pass 435 to nothing, all the votes in this Chamber, and the way they stack it with, I swear, unconstitutional process, but nobody has challenged it yet, is the so-called king-of-the-hill rule. Kids played the game: "If you are the last one on the hill, you win." So, whatever proposal, as the gentleman said, comes last, even if it wins 217 to 215 or whatever, that wins.

Mr. BUYER. What it is we crave here——

Mr. HORN. Sheer power, not intellect——

Mr. BUYER. Is this for the exchange of ideas in the open debate of this arena, and that is what should be done, and I salute the gentleman from Michigan [Mr. KNOLLENBERG] for this special order.

Mr. KNOLLENBERG. If I could just interrupt at this point, I thank the gentleman from Indiana at this point, and I thank the entire group here this evening.

The gentleman from Georgia [Mr. KINGSTON] has about 15 seconds before we close down.

Mr. KINGSTON. Today we gave a medal to the gentleman from Illinois [Mr. MICHEL], or the President did. We did that in the name, or the President did, of bipartisan spirit of cooperation.

The gentleman from Illinois [Mr. MICHEL] challenged us all, said there were so many good things that can become of Democrats and Republicans working together. Let us do that. Let us try it out on health care.

Mr. KNOLLENBERG. I think the bipartisan idea is great, and I think it is something that has not been explored although in this Chamber.

I would conclude this night's special order again. I want to thank everybody for their participation. We have a long way to go, and, if my colleagues look at those four bills totaling some 1,200 pages each or thereabouts. I believe we are at a point where we can, with the American people's judgment and with the American people behind us on this thing, we just give them a opportunity to hear what it is Congress is talking about, and that takes time. It does not have to be in a hurry. There is no sense of urgency here.

Mr. Speaker, let us do it right. Let us fix what is wrong with what is right, and I think that is what all America wants.

THE SUCCESS OF HAWAII'S HEALTH CARE PLAN

The SPEAKER pro tempore (Mr. POSHARD). Under the Speaker's announced policy of February 11, 1994,

and June 10, 1994, the gentleman from Hawaii [Mr. ABERCROMBIE] is recognized for 60 minutes as the designee of the majority leader.

Mr. ABERCROMBIE. Mr. Speaker, at this time I would like to yield to the gentleman from Idaho [Mr. LAROCCO].

Mr. LAROCCO. Mr. Speaker, I thank the gentleman from Hawaii for yielding. I had asked the gentleman from Michigan if he would yield during this special order. I did not have my own time tonight, and the gentleman from Michigan would not yield to me, and I am very happy that the gentleman from Hawaii [Mr. ABERCROMBIE] yielded to me.

I was going to raise the issue during the prior discussion on the floor here when the gentleman from California said that the majority party had violated rules. I was simply going to ask the question: What rules? Instead of coming to the well of the House and saying the rules have been violated, I simply was going to clear the record, but there was no citation of any rules, and that was sort of the tenor of the debate and the discussion we heard before.

Let me simply say to my colleagues from Hawaii that I came to the floor tonight to listen to a new group of Members of the House, to hear some fresh ideas, to hear something that might be imparted to us as fellow Members of the House and fellow legislators about some enthusiasm for solving the problems in the United States, for responding to the needs of the country, and what I heard was embracing the status quo, obfuscation, obstructionism and just plain old emotional appeals about what is going on here in the House of Representatives, and I was absolutely astounded, I might say, to hear the——

Mr. KINGSTON. Will the gentleman yield?

Mr. ABERCROMBIE. Mr. Speaker, I believe the time is mine and not the gentleman in the well's opportunity or obligation to yield, and, given the fact that we were unable to get time previously, I think we ought to take the time now. So, I do not think it proper to yield at the present time.

The SPEAKER pro tempore. The gentleman from Hawaii [Mr. ABERCROMBIE] has yielded to the gentleman from Idaho [Mr. LAROCCO].

Mr. LAROCCO. Mr. Speaker, I thank the gentleman from Hawaii for continuing to yield to me.

But I heard this emotional appeal, both toward the Members on the floor and, I guess, to the American people, that something is going to be ramrodded down someone's throat here.

I looked at a clipping from the Washington Post from 1992 saying that the Bush administration did not want to deal with the question of health care. It was absolutely astounding to me, and I think that is one of the reasons why President Bush, then-President Bush, was not re-elected, because he did not want to come to grips with the problems, and the gentleman from Hawaii and I, we held town meetings in 1991–92.

I remember in Napa, ID, 300 people came out to talk to me about health care. Two hundred fifty people came out to talk to me in Lewiston because they had concerns. I had truck drivers who were out of work who cried at those town meetings because they lost their health care benefits, and now I listen to so-called fresh ideas that were supposed to come to the floor of the House tonight, and all I hear is that we do not want to deal with preexisting conditions, we do not want to deal with pharmaceuticals and drugs for senior citizens, we do not want to deal with long-term health care, we do not want to deal with choice, we do not want to deal with cost containment, and we do not want to deal with deficit reduction. We just want to come to the floor and say, as my colleagues know, something is going on here that is not right.

Well, what is going on here is hard work, and I thought that what I would hear from our colleagues who recently joined us in the House of Representatives, that I came here to work, I came here to work hard, I came here to work double shifts, I came here to work weekends, and now what I hear is that people do not want to work on the bills that have gone to the committees of this House to deal with health care.

I do not know why there is not that kind of commitment to hard work when the work has been done in the committees, and all we see are the stacks of bills, so called—as my colleagues know, it is too tough to read. Well it is not too tough to work. It is not too tough to work.

Mr. ABERCROMBIE. I will yield time at the end of the gentleman's presentation if the other Members on the floor would kindly wait until the end of his presentation.

□ 2140

Mr. LAROCCO. I remember the gentleman from Michigan would not yield to me when I had a question about what they meant about the majority breaking the rules of the House. I have had a question about what rule and if I could get a citation. I could not get anybody to yield to me. I thank the gentleman for yielding.

I am going to conclude by saying I came to this body to work, to resolve the problems that are facing the American people. We have a head start on this issue because we are in our third year of deficit reduction. The economy is in a "go" mode, consumer confidence is up, inflation is down. We have seen 5 million people in America in the first year refinance their homes. They have embraced this economic recovery, and the second stage in economic recovery and deficit reduction is the health care reform plan. I hope that we can come together here and resolve this issue.

I thank the gentleman for yielding to me. I thought I would hear some new ideas, but I heard that some people do not want to work and they do not want to come together and help us resolve this issue. I thank the gentleman from Hawaii for yielding to me.

Mr. BUYER. Will the gentleman yield to me?

Mr. ABERCROMBIE. Certainly.

Mr. BUYER. The gentleman from Hawaii [Mr. ABERCROMBIE] is one of the gentleman I respect in this body in the health care debate.

Mr. ABERCROMBIE. We have some short-term debates ourselves.

Mr. BUYER. To the gentleman from Idaho [Mr. LAROCCO] on the characterization on how he spun this, I think I must award you the spin master of the year award. Those of us that came to this body as freshmen are greatly upset right now with how health care is trying to be rammed down without having the opportunity for us to actually jump into the Gephardt bill. That is our disappointment that is expressed here. Many of us support the Rowland-Bilirakis bill. For you to stand here and say that we do not support preexisting conditions, that we don't want to address the access, we don't want to address cost containment, is a complete farce and is false. When we stand here and say we support the Rowland-Bilirakis, we want to reform preexisting conditions, address the issue of portability and job lock, and have greater integration in health care, both vertically and horizontally, to address greater risk pooling of businesses out there so that businesses can provide affordable health care to the employees, have the Medisave accounts, specifically address the issues of tort reform and medical malpractice reform, fraud abuse. The list is endless. We just want that opportunity to have substantive incremental reforms in the present system without having the government take over.

Mr. ABERCROMBIE. I will be happy to add to the list, if I can reclaim my time.

Mr. BUYER. I appreciate your opportunity to yield to me, and I thank you.

Mr. ABERCROMBIE. When I reclaim my time, I promise you I will address the questions you raised in the previous hour. I hope I will address them in a straightforward manner.

Mr. BUYER. I thank the gentleman.

Mr. HORN. If the gentleman will yield 30 seconds, I thank the gentleman. As he knows, I have been on his side in a few of these rights. He is one of the most eloquent speakers in the House.

Mr. ABERCROMBIE. I understand you have been forgiven by your colleagues for that on more than one occasion.

Mr. HORN. I would say to the gentleman and his colleague from Idaho, you made a mistake when you said this group of freshman don't want to work. I know who has been in the subcommittees and the committees of this Congress. There has usually been plenty of us as freshmen on committees of 25-plus, the chairman and ranking Republican member, on a few committees on which I serve, and we put in our time. I see a lot of absentees. I see them in both parties.

I think you picked on the wrong group. We didn't talk about not wanting to read, not wanting to do the work. We talked about wanting to read, wanting to go through those thousands of pages, wanting to know what is in them. And if one of you can tell me what is in the Clinton-Gephardt bill that has not yet printed, I will be grateful to hear it, because you are the only person that knows that I have talked to in the majority party.

What we object to is the process. We are not talking substance right now. I happen to have been for universal health care coverage since 1951. I don't know if you were born then or not. But I was for it as of 1951.

Mr. ABERCROMBIE. Are you addressing me?

Mr. HORN. I know you were, Neil. But the fact is, a lot of us have spent a lot of time in different roles on these particular issues. And what we do not like is the violation of representative government when people design these things in the back rooms, don't share, no bipartisan cooperation. In the Senate, 30 years ago, we had constant bipartisan cooperation on Medicare, civil rights, voting rights, you name it.

Mr. LAROCCO. If the gentleman would yield, I wanted to get some time so I could ask you what rule the majority has violated. You said they violated a rule. Could you cite that rule to the House? You said they violated a rule.

Mr. HORN. What I have said is they not only insulted our constituents by not permitting time for consultation, as far as I am concerned they insulted this House. And I am amazed that more of you are not upset about it, because we do have an orderly process.

Mr. LAROCCO. They didn't violate a rule; you don't have a citation of a rule then?

Mr. HORN. Where is the reference to this new bill nobody knows about?

Mr. ABERCROMBIE. I think I will reclaim the time and try to address the principal question, if it is all right with everyone, about the sense of urgency.

I think if I was to hopefully summarize and characterize the previous discussion, it was that of the Democrats in general, although if there is to be a bipartisan approach on this, it obviously would involve not only the Democrats, but the Republican and our Independent Member, perhaps are exhibiting what might be characterized, in fact was characterized in context as the Democrats are displaying a sense of urgency that is perhaps not quite appropriate to the weight of the bill in one instance, the literal weight of the bill, and the substance of the bill.

I would like to take issue with that, and I am going to be joined in that by my colleague, the gentlewoman from Hawaii [Mrs. MINK] who preceded me in this body and was instrumental in the passage of some of the previous legislation, including Medicare.

I would like to bring before those who remain here in the House, and before the country and the rest of the Congress who may be watching us and listening at this time, a bit of the history, so that we can understand that the reason we have this sense of urgency is that this is not a new question, and that the elements of the Gephardt bill, again hopefully characterizing and summarizing what was said by our Republican colleagues previously, that the substance of the Gephardt proposal, the Democratic proposal to come before us, has in fact been discussed at length, has in fact had numerous hearings over the better part of half a century.

As my good friend, the gentleman from California [Mr. HORN] indicated, he had an involvement here as a member of the staff of the Congress as far back as 1951, if I remember——

Mr. HORN. Not 1951, 1965.

Mr. ABERCROMBIE. I beg your pardon—1951 was the proposition of universal coverage. I might say that in Hawaii, the question first arose in 1947.

I am going to be using for my reference, Mr. Speaker, and for those who remain, a book that was printed published under the auspices of the Hawaii Medical Services Foundation, a book called "The Aloha Way: Health Care Structure and Finance in Hawaii." It is written by the well-known health policy analyst and advocate, Emily Friedman, of Chicago, IL.

I think, Mr. Speaker, that those who would examine Ms. Friedman's credentials will find that there are very few, if any, individuals in the country better prepared to write this history of the health care structure and finance system in Hawaii.

Let me move most directly then, given the time that we have, and hopefully to bring down the level of rhetoric, if you will, on this issue, to the actualities.

In this instance I ask my colleagues and people across the country to take a deep breath, sit back for a minute, listen to some of the history in a State that has already had prepaid health care, universal coverage, based on employer participation with the employees, for 20 years. This information has been routinely made available, not only to Members of this Congress, but as my colleague, the gentlewoman from Hawaii [Mrs. MINK] will attest, to individuals and groups all across the country.

□ 2150

This is not a new proposition. In the next few minutes, I will explain that this agenda of universal health coverage had its origins in Hawaii just about the time that Harry Truman first proposed national health care for the whole country. So if there is a sense of urgency in trying to get this passed, it has to do with two very simple things.

We are approaching the end of this Congress and it would seem to me entirely suitable and entirely appropriate that after a discussion that has taken place since at least 1948, that we should, as responsible individuals, certainly as responsible legislators in a national body such as the House of Representatives, be prepared to finally conclude this debate.

We had what is termed in Ms. Friedman's history, and I will be quoting both directly and paraphrasing Ms. Friedman as I move along in the next few minutes, that two statutes, and I want to indicate, as I go along, and I will enter into the record at the appropriate point, Mr. Speaker, that our bill, far from being 1,400 pages long and maybe over the passage of all these past 20 years it needs to be that long, I do not know, but I am concerned about the principles that are involved.

Our bill is only 10 pages long, approximately, only 10 pages long. The study upon which the law was based is only about 95 pages long. So we need not complicate this process.

I am here as the beneficiary of those who have come before me in our lifetime, the people who put this plan together 20 years ago are still participating in the political process, still contributing to the well-being of our citizenry.

We had two plans: the Prepaid Health Care Act, very simple concept, very simple proposition, Prepaid Health Care Act; and the State health insurance program, which has since been improved into our Health Quest program.

In other words, we have gone from 1974 with the Prepaid Health Care Act 20 years ago to 1994, and our Health Quest Act, which brings our health coverage in Hawaii up to date literally up to the minute. The Health Quest program will be completed September 9, 6 weeks after its inauguration.

In the 1970s, Hawaii had pursued four goals: workers compensation, unemployment compensation, temporary disability insurance, and universal health coverage. Workers compensation had been passed in 1915 and expanded in 1963. Unemployment compensation in 1939, later also amended. Temporary disability insurance in 1969. What remained in the early 1970's then was to accomplish universal health care insurance for all.

This set the stage for the passing of the Prepaid Health Care Act of 1934. I know there are lots of names for what we are trying to do right now, universal coverage, Health Security Act.

Mr. Speaker, for all the people of the United States, all the taxpayers, all the citizens out there in the United States, this is prepaid health care. That is all it is. No more, but certainly no less. This is not some strange idea.

Mr. Speaker, $124 million has been spent on advertising, eagerly seized by the networks, I might add, all of which blurs, masks, and creates a fog of fear, suspicion and disinformation in the body public and in the body politic here in our country.

When you see, Mr. Speaker, advertisements where you have people pretending to have health insurance, worrying about government programs or government rationing of health care or government taking over the health care system, remember, just as there was an ad, an advertisement that many of us know about, "I am not a doctor, but I play one on TV," well, we have people on television now saying, "I do not really have health insurance. I do not really have health insurance that I can count on being there every day, but I pretend that I do on television."

There are actors. And most actors do not have health care insurance beyond the job possibly that they have that day. The second that they are off the set, they are out of the health care picture. Do not be fooled by all of the corporate/private interests that are on television today, spending an unprecedented amount of money to try to pretend that a health care system that covers every one, that meets some fundamental principles, all of which the President has addressed in his bill, all of which Mr. GEPHARDT has addressed in the Democratic bill that will be coming forward, all of which are addressed in the single-payer bill, for that matter, all of these principles are embodied, all of them exist already in Hawaii, all of them have existed for 20 years.

Two studies were done in the late 1960's. One resulted in the passage of that which I previously mentioned, temporary disability insurance. The second study was on the health insurance plan.

The author of the principle study was Prof. Stefan Riesenfeld of the University of California at Berkeley. He had drafted workers compensation legislation in Hawaii. We were familiar with him in Hawaii. He had done a lot of work. He was familiar with our political, our legislative leaders in Hawaii and had done good work on the temporary disability system and so he was asked to do the study.

Very, very interestingly, Professor Riesenfeld concurred with the funding of the Hawaii Medical Service Association, which is, for purposes of reference, is the equivalent of the Blue Cross-Blue Shield that you may be familiar with here on the mainland. They found, Professor Riesenfeld and the Hawaii Medical Services Association found Hawaii an ideal experimental site for universal employee coverage because we already had out there at that time the Kaiser Permanente system, the health maintenance organization, and the Blue Cross-Blue Shield in the institution of the Hawaii Medical Services Association.

The only people who objected vociferously, as Professor Riesenfeld says, "the commercial insurers hated me." I will repeat that again, "the commercial insurers hated me."

There was a very good reason. He was not there operating on behalf of the commercial insurance companies whose business it is to take the maximum amount of premiums away from you as an individual, away from us, and to retain the maximum profit and return as little as possible in services. That second Riesenfeld report was called the "Prepaid Health Care in Hawaii" report. It was submitted to the legislature, the Hawaii legislature in January 1971.

Professor Riesenfeld concluded, and I am quoting "at present voluntary prepayment plan coverage does not extend to a substantial portion of the population."

The report, Mr. Speaker, discussed a full spectrum of options from no action at all on to a health care system based on the British model.

The report, however, settled on two alternatives: expanding Medicaid to cover more of the population or, and I am quoting, "extension of the existing system of prepayment plan coverage to additional categories of employees on a contributory basis, with or without a premium supplementation scheme."

The report recommended that last. Mr. Speaker, the essence of the plan, Democratic plan is coming forward incorporates that same principle, that same underlying foundation principle. That principle is in President Clinton's plan. That principle is in the Democratic plan.

Basic principles were added then to that foundation, and they are as follows.

Every regular employee in private employment should be protected by a prepaid plan providing for hospital, surgical, and medical benefits. The level of benefits should conform with the prevailing community standards. Unless a collective bargaining agreement or self-initiated employer's policy provided for an allocation of the costs should be shared equally by the employer and the employee. The prescribed coverage was to be provided to any of the existing prepayment plan operators regardless of whether they provided services such as the Kaiser system or other medical group plans as the Kaiser system or other medical group plans such as the Hawaii Medical Services Association, either on a nonprofit principle, like HMSA, or a similar organization or the profit principle such as the commercial carriers.

□ 2200

They had their chance. The scheme and the plan was not intended to interfere with the collective bargaining process or interfere with any agreements that had already been made, or any collective bargaining agreements that might be achieved in the future. The free choice of physician was protected.

Finally, Mr. Speaker, in order to avoid any oppressive burden on low-wage earners or their employers, the mandatory plan in Hawaii was coupled with a plan for premium supplementation from general revenues. This was to enable the small employer, the employer of a small number of employees, to be able to afford the insurance 20 years ago.

If there is a sense of urgency on our part, I think it is well founded. I assure you my colleague, the gentlewoman from Hawaii [Mrs. MINK] and I find it passing strange that we should have to explain over and over and over again to our colleagues that what is being proposed has already been in existence for all intents and purposes in Hawaii for 20 years, 20 years; that the coverage of those who are not otherwise eligible for participation with their employers—because they may be unemployed, because they may be on general assistance, because they may have other difficulties or disability which prevent them from working and otherwise be eligible, perhaps they are in a gap group where they earn a certain amount of money and their eligibility under Medicare is not quite clear—all those particular factors that may affect an individual or a group of people or a family we have now taken care of with our Health Quest program, which grew out of our State insurance plan that we put into effect in the late 1980's. So that we have, again, contrary to the propaganda that comes forward, whether intentionally or on the basis of misinformation or uninformed opinion or judgment, both in this body and in newspapers of general circulation and elsewhere, that somehow we do not have 100-percent coverage in Hawaii, we have 100-percent coverage in Hawaii. We have had it for the past 20 years.

Mr. Speaker, those principles that I have just enunciated have been put forward in our plan. It was not easy to pass. Again, if we have a sense of urgency, we have been through this already. We are happy to make available to anyone here in the Congress the benefit of our experience in these reports, and I have here from the Journal of the State of Hawaii the actual discussion

and passage of the bills; again, not very lengthy, because we had done the homework. We have been doing the homework for a number of years.

Mr. WALKER. Will the gentleman yield?

Mr. ABERCROMBIE. Yes, of course, I yield to the gentleman from Pennsylvania.

Mr. WALKER. I just wanted to ascertain, Mr. Speaker, based upon the discussion that I was hearing from the gentleman, whether or not the reasons that he is giving for the Hawaii bill or for the Hawaii program are the reasons why Hawaii chose to opt out of the national health care plan that we are in the process of developing.

Mr. ABERCROMBIE. I would be happy to answer that, but I yield to my colleague, the gentlewoman from Hawaii [Mrs. MINK], because I am afraid the gentleman has mischaracterized the Hawaii position. We will be happy to elucidate the issue for you, because I know you are eager to have the proper information.

Mrs. MINK of Hawaii. If the gentleman will yield, that issue has been raised a number of times by not only Members on the gentleman's side but by the general public that has heard that statement repeated in talk shows and other television programs.

As the author of the provision in the bill that came out of the Committee on Education and Labor with respect to the opportunity for my State to obtain an exemption, that is not properly characterized as an automatic opt out.

As a matter of fact, what is required under the amendment which I presented to the committee, which was adopted, is that the five basic elements of the legislation—and I hope those elements will be retained upon final enactment—must first be secured by the State of Hawaii before it can even apply for an exemption. There is not an automatic opt out. There must be an application which asks the Secretary to determine whether those things which we would like to be released from, because of 20 years of experience, are appropriate.

Mr. WALKER. Would my State be eligible?

Mrs. MINK of Hawaii. Before we can do that, we have to have the same benefit package, we have to have the same cost containment, we have to have the same data collection, we have to have the same quality control, and we have to have the same employer mandate.

Mr. WALKER. Would my State be eligible?

Mrs. MINK of Hawaii. I don't know whether your State would be interested in such a requirement.

Mr. WALKER. Mr. Speaker, I am asking the question, if we were, would we be eligible under your amendment?

Mrs. MINK of Hawaii. Under my amendment, I only sought the opportunity for my State to make such an application.

Mr. WALKER. It was only for one?

Mr. ABERCROMBIE. Reclaiming my time, if the gentleman will give me the opportunity to continue with my presentation, I will point out why Hawaii is in this position. I will get to the ERISA waivers.

Mr. WALKER. I just had one more question, if I could, Mr. Speaker.

Mr. ABERCROMBIE. I would answer the gentleman's question about whether he would be eligible or not. If you would help us pass national health care, it would be a moot point.

Mr. WALKER. If the gentleman would just answer one more question.

Mr. ABERCROMBIE. Certainly.

Mr. WALKER. Is the same exemption provision likely to be part of the Gephardt bill?

Mr. ABERCROMBIE. When you say "exemption provision", I'm not sure what you are talking about.

Mr. WALKER. The gentlewoman has just explained that she had an exemption provision, but in the Committee on Education and Labor bill.

Mrs. MINK of Hawaii. It is an application to the Secretary to ask for exemptions for certain——

Mr. WALKER. It only applies to Hawaii.

Mrs. MINK of Hawaii. For certain procedural aspects where it would be redundant and unfair to apply to a State that has already had 20 years of experience in a prepaid plan.

Mr. WALKER. I understand that, but it only applies to Hawaii.

Mr. ABERCROMBIE. Yes.

Mrs. MINK of Hawaii. Because no other State has such an employer mandate.

Mr. ABERCROMBIE. The answer, of course, is to the degree it does apply to Hawaii, I wish it would apply to Pennsylvania. If you would enact a health care plan in Pennsylvania that at least meets the minimum standards of Hawaii, you would not have to ask the question.

Mr. WALKER. We are reasonably proud of our health care plan in Pennsylvania, too.

Mr. ABERCROMBIE. We are very proud of ours.

Mr. WALKER. I understand that. We would like the same kind of treatment, the same kind of ability to go for an exemption.

Mr. ABERCROMBIE. You need only, I assure the gentleman, pass the Democratic plan and you will have it. That is true bipartisan cooperation.

Mr. WALKER. I would say to the gentleman, that is not the case. We do not know what the Democratic health plan is. We have yet to see it.

Mr. ABERCROMBIE. Reclaiming my time, I will be happy to explain it to you.

Mr. WALKER. Has the gentleman had a chance to see it?

Mr. ABERCROMBIE. Yes, of course I have.

Mr. WALKER. You have had a chance to read the Gephardt plan?

Mr. ABERCROMBIE. I have had a chance to understand completely what is in the Gephardt plan.

Mr. WALKER. You have actually seen the Gephardt plan and have had a chance to read it?

Mr. ABERCROMBIE. I have had an opportunity to see all of the elements, as you have, Mr. WALKER.

Mr. WALKER. No, have you seen the Gephardt plan? Have you had a chance to read it, and does it contain the Hawaii exemption?

Mr. ABERCROMBIE. I will reclaim my time and answer the question, Mr. Speaker.

The answer to the gentleman's question is that we will be able to provide, with the Gephardt plan, a health care system equal to that of Hawaii for Pennsylvania as well. I realize that the gentleman——

Mr. WALKER. That does not answer the question.

Mr. ABERCROMBIE. I have reclaimed my time, and I am sure the gentleman has had ample opportunity in other times during special orders to make his points known. If you will give me the opportunity, kindly cede me the opportunity to more fully answer your question, I will, and so will the gentlewoman from Hawaii.

Mr. WALKER. Yes, Mr. Speaker.

Mr. ABERCROMBIE. Thank you. The principles enunciated in the Democratic plan, which will be forthcoming, in detail; you cannot have, after all, the printing of the Ten Commandments before they are brought down from the mountain by Moses.

I do not think the gentleman from Missouri [Mr. GEPHARDT] would claim the mantle of Moses. He does not resemble Mr. Heston very much in that regard, but the process is the same.

Mr. Speaker, every essence, everything associated with the plan, has been discussed in great detail. The actual embodiment of those principles, proposals, and plans in bill form I understand will be available as early as tomorrow.

Mrs. MINK of Hawaii. Will my colleague yield?

Mr. ABERCROMBIE. Yes, of course, I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. In listening to the discussion that preceded ours, I am sure the audience is left with an impression that Members of the Congress have not had an opportunity to study and deliberate and consider all the various ramifications of the health reform plan.

As a matter of fact, the Congress has had almost a year to deal with all of the essential features that are still on the table, that are still up for discussion, and will obviously be a part of the leadership presentation which we hope to get tomorrow.

□ 2210

My own Committee on Education and Labor has had the bill in our committee for almost 4 months. Every day we went to the committee meetings, and page by page that bill was read and it was discussed. We had experts there to explain all of the provisions. We did that not only once in the subcommittee but again in the full committee. Besides all the deliberations of dozens and dozens of amendments that were proposed and debated, certainly the members of that committee had an ample opportunity to understand all the features not only of the Clinton plan but also the ultimate mark that our chairman, the gentleman from Montana [Mr. WILLIAMS] produced, which was quite different. The Committee on Ways and Means did essentially the same thing. I watched much of it on television, where the gentleman from California [Mr. STARK] was presiding as the chair of the subcommittee and they read the bill page by page. It was a tedious process, but I defy Members who are interested in the process, why were they not watching? If they were not members of the subcommittee, they could have done what I did. I stayed up and I watched the discussion that went on in the Committee on Ways and Means. Because I was interested to hear all the different points that were being made with respect to all of these different provisions.

I submit that the Committee on Energy and Commerce probably did the same thing. We had opportunities to hear some of the debate over on the Senate side. We have had an ample opportunity, and we should have taken those opportunities to study the legislation as it were being presented to us, first the Clinton bill, then the bill that came out of Education and Labor, then the bill that came out of Ways and Means. And it is the leadership's responsibility now to produce the 218 votes. I cannot do that. I do not have that magic wand that can suddenly produce a compromise piece of legislation that is going to be able to garner the majority votes of this body. That is a complicated thing. But certainly we are not starting from scratch, Mr. Speaker. We have had this bill here for consideration for over a year, and those of us who have taken the time to study the various issues, employer mandates and alliances and all these other features, have been able to understand how this process has finally brought us to the point where we are.

We are here tonight, my colleague the gentleman from Hawaii [Mr. ABERCROMBIE] and myself, because basically I am thrilled that over the last month and a half or so on television, nightly, sometimes 4 or 5 times a night on television, the major networks, I see the floating palm trees of Hawaii and a discussion about our Hawaii plan. "If Hawaii can do it, why can't the Nation?"

That is really why we are here tonight, to try to explain to those who are interested, to find out that yes, indeed, the State of Hawaii 20 years ago did enact an employer mandate legislation.

Admittedly, a lot of the materials that we have disseminated and distributed come from our State. I have heard Members of the opposite side disparage the fact that I am constantly talking about the Hawaii plan, constantly using it as an illustration. But the point of fact is, is that my State is the only one thus far that has enacted an employer mandate program, and, therefore, it is important to know what happened. We do not need to just listen to the agonies and despairing comments about what would happen if we had an employer mandate? We have had one for 20 years in the State of Hawaii and it has worked.

Members do not have to take my word for it. If my colleague will yield further, because there was such an interest in the Hawaii prepaid health plan in Hawaii, the GAO was summoned to do a study. Certainly I had nothing to do with the conclusions the GAO report found, I had no part in writing it. I did not know what conclusions were going to come out of such a study in advance, but the GAO was requested by the gentleman from Michigan [Mr. DINGELL] to conduct a study. The conclusions there are dramatic. It says, "Hawaii has the highest level of insurance coverage of any State." And it comes out with a percentage, of something like 3.75 percent only are not covered.

If we listened to what my colleague said, since this study was taken from the 1991 figures, since then, with the implementation of SHIP and QUEST, we now can very comfortably say 100 percent of the people of my State are in some program or another if not in the employer mandate part which is private insurance.

Mr. WALKER. Will the gentlewoman yield for a question on the study?

Mrs. MINK of Hawaii. I would be happy to yield.

Mr. WALKER. Could you tell me what the study said in terms of your coverage?

Mrs. MINK of Hawaii. The coverage, it says here, I will read exactly. "Estimates of the percentage of Hawaii's residents lacking health insurance in 1991 ranged from 3.75 to 7 percent in comparison to the national average of about 14 percent."

Mr. WALKER. That is still less than the 100 percent that the gentleman talked about.

Mrs. MINK of Hawaii. If you had listened to what I had said, you will hear that what has happened subsequent to 1991 is the collaborative agreement which was permitted to take Medicaid funds and to incorporate it into a program that covered everybody.

Mr. WALKER. So this study is only as good as the portions of it which you happen to agree with?

Mrs. MINK of Hawaii. No.

Mr. ABERCROMBIE. Mr. Speaker, I will reclaim the time, I will answer the question, and I think that we should move on from this.

If the gentleman persists in mischaracterizing the answers, we are not going to really accomplish anything here, other than to demonstrate to the people of this Nation and to our colleagues who are watching that there is less interest in achieving a bipartisan resolution of this issue than there is in trying to score points, points which I may tell the gentleman can be easily refuted.

The General Accounting Office report states very, very clearly that this is a result of the employer mandate bill which we have had in effect since 1974. It was never expected that this passage of the prepaid health care bill would be able to cover everyone in the State who was not eligible under the original law. The fact that we have achieved this incredibly high ratio on a law 20 years old which did not apply as I indicated to those who were not otherwise eligible under it I think is absolutely remarkable.

What it shows is that 100 percent of those who were eligible to be covered under our law in the first place were covered. Those who are not otherwise eligible have been covered, either by Medicaid or by other such plans that were federally imposed. What we are saying is that we have as a result of the Medicaid waiver been given the flexibility to put together a State plan which operates complimentarily with those already in existence, and they are private insurers. The same companies, the same health providers, the same insurers that operate with our employers and our employees rushed eagerly to bid for and be appointed those who would implement the rest of the plan to cover 100 percent of all the people, regardless of those who would otherwise be ineligible under the prepaid health care plan of 1974. We never amended the bill, except for certain benefits that were put in other than for administrative purposes.

There is no bureaucracy. As a matter of fact, I will pursue at this time, then, the rest of my presentation. There is no Government bureaucracy. In fact, the bill itself, as I said, less than 10 pages long, the bill itself indicates that the act is meant to be for the most part self-administering. And that is what it has been.

Mrs. MINK of Hawaii. Will my colleague yield on that point, which I think is really the telling point on the success of the Hawaii plan.

In the 20 years, and my colleague will agree, in the 20 years of the existence of this prepaid health plan, the State of Hawaii has had to add only 2 employees

in the Department of Labor to administer this program. Two positions. That is it. So to talk about employer mandates and the enactment of a health reform bill is going to create a huge, monstrous bureaucracy is absolutely not so.

We have been able to accomplish our universal coverage literally without the addition of any Government personnel whatsoever, just two, to handle the routine paperwork.

Mr. ABERCROMBIE. All of the opposition, Mr. Speaker, at that time, in 1974, the tenor of the opposition, the origin of the opposition, has all manifested itself again in this debate.

□ 2220

The same business entities and institutions, sometimes using the same words almost exactly, some of those of the major employers, the major industrial employers, what were known as the Big Five, the great companies that controlled the plantations, that controlled the importing and exporting business in Hawaii, who were already offering some form of insurance to their employees at that time, they opposed it, as they said, and I will quote here, "Even though they covered their own they were opposed to it ideologically."

This comes down not to a question of practicality it comes down not to a question of whether something is being presented too quickly. It comes down to a matter of ideology. Either you are in favor of universal coverage that cannot be taken away from people, or you are not. And if you are in favor of it, you have to go through a process that enables us to fund it, and to move it forward, and to make it fair, and that is what we have done. This study again written by someone who lives in Chicago, IL., who is self-employed, as a matter of fact, who has to have her own insurance, and I have talked with Ms. Friedman on several occasions, she was the contract employee. By the way, the study that I am citing I want to point out is from the Blue Cross/Blue Shield Hawaii Medical Association, the Health Care Association of Hawaii, Kaiser Permanente Foundation, Hawaii Medical Association made of up the medical doctors in Hawaii, the Hawaii department of health of the State of Hawaii and the Hawaii Community Private Foundation. So the publication and the hiring of Ms. Friedman to do this analysis and history of the Hawaii plan comes from a broad spectrum of State, private, and nonprofit organizations and individuals.

Her study indicates then to us that there was the opposition. The study also then indicates that one of the reasons that the Hawaii Medical Services Association, the Blue Cross/Blue Shield organization eventually supported the legislation in the legislature was, and I am quoting now as one observer says, "It's nice to have a law around that says people have to buy your product." That is what we are doing here. This is private insurance that is being offered, not whether there can be an argument for other forms of insurance. I do not know. One of the litmus tests, if you will, of whether or not we can move forward with health insurance at this time for everyone in America has been whether we can incorporate the private system.

Now I will grant you, and as a matter of fact not only grant to you, Mr. Speaker, and grant to those who bring up the question, but in fact I invite them. There is competition for this, and what happens is that commercial insurers are the ones who opt out. The commercial insurers who are interested primarily in being able to extract premiums, high premiums, and pay back very little in the way of services, or perhaps even remove insurance from people. What happened was that upon the passage of this bill, and by the way, it did not take 6 months to implement it. It was 6 months from the signing of the bill, from June 1974 to January 1, 1975. January 1, 1975, we implemented the bill. We implemented universal care, universal insurance in Hawaii, in 6 months' time. That is all it took. Now, we did this. This is not a proposal. This is not something we dreamed up. It is not a novel. It is not fiction. It is history. This is the reality. This is what was done.

In that 6-month period what happened was very, very simple. Those insurance companies who had no real interest in actually providing insurance at the lowest possible rate to the maximum number of people, and actually engage in providing health insurance that worked, left the marketplace. They left the marketplace. They chose not to compete. And those that were left did of course compete. And what we have in Hawaii today, and I think this is very, very important for our colleagues to understand, and for the people across the Nation to understand, what we have now is competing private insurance in Hawaii that strives to give people the lowest possible price for the insurance.

Now Hawaii, as everyone knows, is a series of islands in the middle of the Pacific Ocean. We cannot get from island to island in our counties. Representative MINK represents, I represent urban Honolulu and she represents what could be called rural Honolulu, rural Oahu, the island of Oahu, all of the island of Oahu that is not constituted in the First District that I have the honor to represent, all of the neighboring islands. We cannot drive to the neighboring islands. Some of us are strong enough to swim, but not very many. But it takes crews of very strong paddlers to be able to get an outrigger canoe and get between some of the islands, so we have to fly. In other words, it is very, very difficult so our expenses are high in Hawaii, because we have to ship everything in either by air or by long distance in the sea, and then we have to transship by barges to what we call the neighbor islands, to our friends and neighbors on the neighbor islands. So our expenses are very high.

The one thing that is lower, in fact lower than all of the expenses of all of the rest of the Nation is health care, despite all of the difficulties in delivery. And I can assure you that Mrs. MINK spends a good deal of time in an airplane after she gets to Oahu, and a good deal more time after that in an automobile traveling around the hundreds and hundreds of miles that are required to get around the rest of the Second Congressional District of Hawaii.

So we have great distances to cover. We have great expenses to cover. Yet, the cost of our health care plans remains significantly lower than the rest of the United States, the rest of those States on the mainland.

So the opposition, which was quite vociferous at the time, indicated among other things, and this is an ironic note to add at this point, that the Hawaii Medical Association in the end was opposed to the bill because, as they said, the chairman of the Hawaii Medical Association Legislative Committee in the National Government, and this is of course 1973, said,

> The National Government is already moving in the direction of a national health insurance program which seems likely to become law within the next year or two. It would seem foolish for the State of Hawaii to embark on a program that perhaps would be superseded by Federal regulations within a short period of time.

So you see, as far back as 1973 the Medical Association, the Association of Physicians was anticipating the passage of this legislation, saying that we would not have to have this program. So when we are asked well, why is Hawaii in the position of trying to make certain that the national bill that we are proposing is going to incorporate that which Hawaii already has, you can see that we have anticipated again and again, and I will be able to give further quotes, Mr. Speaker, where it was anticipated when we made some changes in our health care approach that again that the Congress would be passing national health care legislation, and so it was not necessary for us to move in this direction.

After a while we got the message that it was going to take perhaps the experience of a demonstration project to show that it was possible to have national health care. So if anything, we do not stand here tonight in some superior attitude or in some patronizing kind of attitude towards the rest of the country and say look, did we not do a terrific job, and why do you not just follow in our wake. On the contrary,

what we think is that to the degree as happens often in the Congress a demonstration project is commanded or is needed or is found to be useful that please, look upon the Hawaii experience and experiment, because that is what it has been, both an experience and an experiment, look upon it as a demonstration project that has worked and, as a result, perhaps then we can utilize this experience and the result of this experiment in a way that manifests itself in the bill that will be coming forward.

□ 2230

Mr. WALKER. If the gentleman will yield, I thank the gentleman for yielding. He has been very generous. I appreciate that.

Did Hawaii, in their demonstration project, have any experience with people who wanted to opt out of the plan for religious reasons?

Mrs. MINK of Hawaii. No. Not that I am aware of.

Mr. ABERCROMBIE. Not that I am aware of. I will tell you who was exempted at the beginning if you will give me a moment to find it.

Mr. WALKER. The reason why I raised the question is that——

Mr. ABERCROMBIE. There were some Federal employees and others were exempted.

Mr. WALKER. Because they had a plan. But let me just give the gentleman a sense of experience from my State that probably would not apply in Hawaii. But it probably yet has some relevance to adopting universal coverage. I have a large group of Amish in my district. Amish, because of their religion, do not believe in insurance. To participate in an insurance program is a violation of their strongest religious beliefs. If, in fact, we are to pass a national health care plan that requires universal coverage, you would have to have the Amish coerced into the program against their religious principles. I would suggest, I am simply suggesting, that that is a difference out there that we will find a number of in the Nation that would not fit the demonstration.

Mr. ABERCROMBIE. I understand. Reclaiming my time, I say to the gentleman from Pennsylvania [Mr. WALKER], because I believe we only have 5 minutes left, and I would like to answer the question and yield, in turn, to the gentlewoman from Hawaii [Mrs. MINK] to provide an answer.

Mrs. MINK of Hawaii. The Committee on Education and Labor did provide an exclusion for the Amish because of their religious belief.

Mr. WALKER. Then you do not have universal coverage.

Mrs. MINK of Hawaii. Well, I think that is a matter of semantic debate at this point as to exactly what universal coverage is. If we make an exclusion for a certain group, that does not mean that we have not made an attempt to include everybody. Including of everybody, we decide that because of religious commitments and other kinds of reasons, that they should be excluded. It does not mean that we have failed to enact a bill that is universal. It is universal. It considers everybody, but in doing so, found for other reasons to leave out certain people.

Mr. WALKER. But they have to have some other access to the health care system, which means you have to design special exemptions, and there are going to be a lot of other people. The only point I was making was the demonstration in Hawaii does not exactly apply if you take all the rest of the experiences we have around the Nation.

Mr. ABERCROMBIE. If I can reclaim my time, I am certain there will be details to be discussed so we can properly respect the multicultural, multiethnic, multireligious, multiracial society we have. We have a rainbow of people in Hawaii, and we have a rainbow of people in the United States.

In that context, I assure the gentleman from Pennsylvania that I trust all of us will be sensitive to the special needs that might exist in that.

Let me conclude very quickly, Mr. Speaker.

In the remaining time then, for the moment, I would like to summarize then what it is that has been accomplished by the Prepaid Health Care Act in Hawaii.

It has set a floor below which no person in Hawaii will be allowed to fall. I think that is fundamental. After all the rhetoric is out of the way, we are taken care of in here. We find ourselves in a very good position.

I notice that many of the people who find themselves commenting on it and analyzing it on television, all of them are covered by health plans. All of them would be loath to see that health plan fall away from themselves.

All I am saying is, is it not good enough? I have heard the discussion here; let us not have a health care plan in America that is any less then what Members of Congress provide for themselves. Well, in the State of Hawaii, we provide for everyone. No one in this country should be allowed to fall. No one in this country should be uncovered. It defines a basic benefits package. Long before the idea was fashionable, we had it in Hawaii.

It enfranchised thousands of people. It gave them confidence. It gave them security. It gave them a sense of independence. It gave them dignity. Nothing in the world makes you feel more vulnerable than to think that you cannot provide for your own, that you are not able to provide those things that are necessary to sustain the basic dignity of the individual, and your health is the most fundamental element in that dignity. We enfranchised that, and it has not been misused. It has not been misused.

Government here has been the partner of the individual and the families of this State and of this country, and it can be with the passage of the national health care bill.

We have simple, predictable claims patterns. We have simple, predictable coverage. We have simple, predictable protection in Hawaii, and the health care bill that is coming forward on this floor tomorrow, as presented by the Democratic majority leader, is meant to provide exactly that kind of simple, predictable, certain coverage, and we implore and enjoin and request our colleagues on the Republican side of the aisle to join with us and pass national health care.

It will not be a situation in which anyone will be left out. It will be a situation in which we are all in this together. Failure to do this, as I conclude, Mr. Speaker, would be as follows: We have a fundamental choice, and this is what it is. Either we are going to say to the American people, "You are on your own," or we are going to say to the American people, "We are all in this together."

I implore my Republican colleagues to choose the latter. Let us all be in this together. Let us pass national health care.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POSHARD). Visitors to our gallery are not allowed to display either affirmation or any other sense of pleasure or displeasure with the Members on the floor.

A VIEW OF THE CRIME BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Illinois [Mr. MANZULLO] is recognized for 30 minutes.

Mr. MANZULLO. Mr. Speaker, crime is a very serious problem in this country. But because a proposed law is termed a crime bill does not necessarily mean the bill fights crime.

That is why the Wall Street Journal, USA Today, the Chicago Tribune are all opposed to the so-called Clinton crime bill. The New York Times said, "Pull the plug on the crime bill."

We all want to fight crime. Yet why would these major newspapers come out against this bill? The answer is that this Clinton crime bill does little to fight crime, and it is expensive, too.

But Americans would not mind spending big dollars if they thought the money would, in fact, reduce crime, but the Clinton crime bill, which will cost $33 billion, simply will not do that.

Well, why is this crime bill so controversial? First, it still has not been

printed up. I have here one of the few copies of the conference bill. It is over 1,000 pages. This conference bill is the result of the work of the Members of the House and Senate after each of those Houses of Congress passed its own bill.

I pored through most of that bill. Let me demonstrate to you how complicated the wording is. Listen to this, "For each payment period, the Secretary shall allocate to each State out of the amount appropriated for the period under the authority of section 6702(b), minus the amounts allocated to territorial governments under subsection (e) for the payment period, an amount bearing the same ratio to the amount appropriated, minus such amounts allocated under subsection (e) as the amount allocated to the State under the section bears to the total amount allocated to all States under this section." It goes on and on.

I have argued before the Committee on Rules that Members of Congress should be given the right to read the bill before they vote on it. Yet that probably will not happen. Imagine voting on a $33 billion bill without giving Members of Congress the chance to read it.

Well, let us look at some of the provisions of this bill. Cops on the beat: The bill States on its face there will be 100,000 new cops on the beat. We need cops. We need more cops. But what is wrong with this bill? First, it describes what the cops must be doing. They must be involved in "community policing," but community policing is nowhere defined in the bill.

Title I, part (q), section (f), technical assistance, subparagraph (2), model, states, "the Attorney General defines what community policing is and how it is to be implemented."

This means a Federal bureaucrat decides what a community needs as opposed to the community itself. For example, cities may use the funds in the following ways: "It can go to enhance police officers' conflict resolution, mediation, problem solving, service, and other skills needed to work in partnership with members of the community," to "develop new technologies to assist States and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime," and, "to develop and establish new administrative and managerial systems to facilitate the adoption of community oriented policing as an organization-wide philosophy."

□ 2240

This means the Federal bureaucrat will tell local police officers how to resolve conflicts and solve problems. It also means the Federal bureaucrat will tell a community that instead of apprehending criminals it should be preventing crimes from taking place. Granted, both are necessary, but why should the Federal Government be involved in telling a police force where its needs are?

Second, the bill sets up a quota system for hiring police.

Third, the Clinton crime bill provides only seed money for a community that wants to hire police officers. Here is the irony: For a community to get a grant to hire police officers, it must show a specific financial need. The grant runs out in equal stages over 5 years. However, a community in the grant must also show that as the grant runs out in steps, the community must be able to afford to keep the cops permanently. This does not make sense.

A community applies for a grant because it needs the money, but must show that as the money runs out it has the financial ability to continue the program. If the community has the money in the first place, then it could not receive the grant. Yet it has to show it has the money in order to continue the program.

Fourth, the actual amount of money allocated in the crime bill for cops will hire 20,000, not 100,000, cops. The reason is in the application.

It takes about $60,000 to $75,000 per year to hire one cop. Yet if you stretch out the money allocated for the program over 5 years of the grant, it comes out to $14,500 per cop per year.

Fifth, the application process to get a grant shows how little emphasis is placed on the crime rate in the community. Let me read to you some of the 11 mandatory requirements to get a grant:

The police department has to have a long-term strategy that is devised not by the police but by "community groups and appropriate private and public agencies."

What does that mean? It means the Federal Government is saying that sheriffs and chiefs of police do not know how to use their own police officers but "community groups and appropriate private and public agencies," which are never defined, do.

The police department has to identify "related governmental and community initiatives which complement or will be coordinated with the proposal." And "outline the initial and ongoing level of community support for implementing the program, including contributions of money toward the program."

Mr. Speaker, this is the United States Congress empowering the Attorney General and her bureaucrats to micromanage local police departments. This application process demonstrates the hoops through which a municipality must jump to get money that already belongs to the people. There is no Federal money; only money provided by the ordinary taxpayer that is sent to Washington, legally shrunk, and then waved by a Federal bureaucrat in the face of local officials who fight like heck to get that money that already belongs to them.

Sixth, to implement the cops on the beat, the bill states:

> The Attorney General shall have access for the purpose of audit and examination to any pertinent books, documents, papers or records of a grant recipient under this part and to the pertinent books, documents, papers or records of State and local Governments, persons, businesses and other entities that are involved in programs, projects or activities for which assistance is provided under this part.

Ostensibly a business, a business doing business with a local police department, would now be subject to an audit by the Attorney General.

And now the magic words, "The Attorney General may promulgate regulations and guidelines to carry out this part."

This is called redtape.

Let us take a look in this bill for the provisions for prisons. We all know that keeping people in prisons keeps out of circulation the 7 percent of the criminals who commit 70 percent of the crimes.

The Clinton crime bill claims that $10.9 billion will be spent on building prisons. However, a closer look shows that $2.2 billion is authorized but not funded. $8.7 billion would then be left allegedly for building prisons. However, $1.8 billion of that is going to go to refunding States incarcerating illegal aliens. So I have no problems with money to help States incarcerate illegal aliens.

That leaves the bill with a total of $6.5 billion for prison construction. Or is it really for prison construction?

Title II, called "Prisons," of the Clinton crime bill authorizes funding with the following language:

> The Attorney General may make grants to individual States and to States organized as multi-State compacts to develop, expand, operate or improve correctional facilities and programs, including boot camp facilities and programs and other alternative confinement facilities and programs that can free conventional prison space to the confinement of violent offenders to insure that prison cell space is available for the confinement of violent offenders and to implement truth in sentencing violent offenders.

At this point it appears the Clinton crime bill will allow the States to spend the prison money the best way the State sees fit.

However, further reading of the bill shows the Federal strings attached to this bill.

For example, if a State obtains money to build a prison—and please note the Federal Government provides 75 percent of the construction cost for the State providing the rest for construction of prisons and having the money to operate the prison—and yet the redtape involved means two things, two significant things.

First of all, under title II, "Prisons," listen to this requirement:

The States must have a comprehensive correctional plan which represents an integrated approach to the management and operation of correctional facilities and programs which include diversion programs, particularly drug diversion programs, community correction programs, prison screening, * * *.

Mr. Speaker, this is saying that the Federal Government, once it gives money to a State to build that prison, will determine how that State prison is run. But there is more to it than that.

Listen to this:

The task force on prison construction standardization and techniques states that the director of the Institute of Corrections shall establish a task force comprised of Federal bureaucrats and engineers, architects, construction experts, to come up with a performance requirement and the task force shall work to establish or recommend standardized construction plans of techniques for prisons and prison component construction.

And we ask ourselves why is the Federal Government now telling the States how the States can build their own prisons?

This becomes the federalization of all State prisons, not only as to the manner of operation but the construction materials, if the State opts to take the money with which to build a prison.

Many suggest that this bill is tough on crime because of the strict truth-in-sentencing provisions cut into receiving Federal funding for prisons. At this point let us take a look at this truth-in-sentencing.

From a Federal level, it is defined as requiring States to incarcerate violent offenders for at least 85 percent of their sentence in order to receive some 60 percent of the $6.5 billion, the so-called Chapman money. It sounds as if the Chapman truth-in-sentencing should be tough, if that is the way it will work. Think about it. This will supposedly close the revolving door that lets violent criminals out of prison early. However, a close look at the summaries of alleged crime conference report show differently. The Hughes money, 66 percent of the $6.5 billion in this bill, is not conditioned on any truth-in-sentencing provisions. The remaining 40 percent, the Chapman money, is based on a formula that requires some progress, some progress toward longer sentences.

The bottom line in truth-in-sentencing is that if the States do not work toward the goal of keeping people in prison longer or in enacting the 85 percent requirement, then there is a reverter provision which provides that the money allotted for the proposed truth-in-sentencing, or Chapman money, left at the end of each fiscal year will be dumped into the remaining 40 percent funding for the first year. So, basically, a State simply has to wait and then get all the money with no strings attached.

□ 2250

But there is more. This bill has what is called early release provision. Sounds good. What are we talking about?

Well, there is a reduction of mandatory minimum sentences for drug traffickers. That is correct. This bill reduces the number of years that a person convicted of drug trafficking has to spend in Federal prison. It is ostensibly to those who were arrested for the first time, probably caught for the first time. If they are nonviolent; that is, they do not have any guns, and they cooperate with the police, the authors of this bill say, well, because of their backgrounds, they should not have to serve such a long mandatory minimum, and this provision is retroactive and will result in the release of as much as 10,000 so-called nonviolent, convicted, felonious drug traffickers, return them to the streets.

And what kind of message does that send to our society?

In my county of Winnebago, IL, the statistics show that up to 75 percent of all crime in that county is somehow drug related, whether it be an individual taking drugs, trying to steal money to buy drugs or is, in fact, selling drugs. And yet this great crime bill looks upon these convicted drug traffickers, looks upon new drug traffickers, and says "We are going to reduce your mandatory minimum sentence." That is not the message to send to people involved in drugs in this country.

The Clinton administration says that they are nonviolent because they are simply passing drugs from one to another, answering phone calls, facilitating deliveries. The cops call them mules. Yet the violence that they do to America is they are killing our children.

Mr. Speaker, this crime bill protects the criminals. It does not protect the innocent people in this Nation, and that is why these major newspapers have come out vehemently against this crime bill in saying, "For goodness gracious sakes, at least protect the victims."

But there is more in this bill, almost $10 billion spent on what are called social welfare programs. Ten billion dollars. Let me go through just a few of them.

The Local Partnership Act: $1.8 billion to local governments goes to areas with high taxes—figure that one out, high unemployment, and high crime. The money is spent to augment existing Federal programs such as aid to the homeless or can be used for, quote, "education to prevent crime, substance abuse treatment to prevent crime, or job programs to prevent crime."

The Youth Employment Skills, YES, is $650 million, quote, "to test the proposition that crime can be reduced through a saturation jobs program." Six hundred fifty million dollars in a test program. It targets high crime areas. Participants can range in ages from 14 through 25 years.

Mr. Speaker, we already have 154 current job programs. But you may say, "Are these targeted to the youth?" Well, 16 of these current job programs are targeted to youth. Presently spending $4 billion, nine current job programs target the economically disadvantaged presently spending $2.6 billion, and the total amount of money spent on jobs programs in the United States is already $25 billion, and now we are adding some more.

But the list of social spending goes on: $1.3 billion to private entities, governments, and courts chosen by the Attorney General for, quote, "drug courts." The money can be used for a number of purposes such as benefits to criminals who are drug addicts. Benefits include child care, housing placement, job placement, vocational training, and health care, all supervised by a court, but there is no money that goes for the administration of justice. There is no money that can go to a State's attorney's office to hire prosecutors, or to a clerk's office in order to hire additional clerks in the criminal division of the court, or for probation officers, or for jail space.

The model intensive grants: Here is another one, $895 million to 15 high crime areas chosen by the Attorney General. This program has not specific requirements. It contains vague guidelines for funding. For example, money will go to programs that, "provide meaningful and lasting alternatives to crime"

The national community economic partnership: $630 million to community development corporations chosen by the HHS Secretary to upgrade the management and operating capacity of community development corporations and enhance the resources. Loans will be given to finance projects intended to provide business and employment opportunities for poor people.

Child center activities: $630 million to recipients chosen by the HHS Secretary handed out by grant, based on percentage of poor children in the State compared to percentage in other States.

Listen to this: Grants for community-based organizations to carry out a variety of activities including arts and crafts, dance programs, renovation of facilities, purchasing of sporting and recreational equipment and supplies.

The list continues.

Family and community endeavor schools called FACES: $270 million to local entities chosen by the Education Secretary and partly by the HHS Secretary. The purpose is, "to improve academic, and social development by instituting a collaborative structure that trains and coordinates the efforts of public schoolteachers, administrators, social workers, guidance counselors, and grants also go to community-based organizations to supervise various activities including sports, arts

and crafts, social activities and dance programs."

Juvenile drug trafficking gang prevention grants: $125 million to private and nonprofit or State and local governments chosen by the administrator of the Office of Juvenile Justice and Delinquency Program. The grants are, "to reduce juvenile involvement in organized crime without describing how this should be done." Very few specific programs aside from sports activities, "and artistic enrichment."

The Ounce of Prevention Program: $100 million of grants to entities chosen by interagency council. No specific requirements, no guidelines.

The youth violence prevention: $50 million to States and public and private entities chosen by the OJJDP administrator. Grants are to develop, "programs in the area of juvenile violence." The program should include, "alternatives to school suspension and other innovative projects."

Midnight sports: $40 million to entitles chosen by the HUD Secretary to fund midnight sports leagues. The bill states that there must be at least 80 people involved. Half of those have to come from low-income housing. What do they do if half do not come? What do they do if those that come are poor but do not live in low-income housing? Do they throw them off the basketball team? And these grants must have at least two of the following characteristics: high levels of HIV-infected people, high crime rates, high drug use, high pregnancy rates, high unemployment, and high dropout rates.

It does not stop there.

Community youth academies: $40 million to public or private and nonprofits chosen by the Attorney General to provide residential services to young dropouts and criminals. Among other things these services, "should increase the self-esteem of such youth," and provide them with life skills.

It goes on and on. I do not even have enough time to bring this up.

Gang prevention services for boys and girls: $20 million for funding a variety of programs including music, art, and drama activity, physical fitness training, and life skills training.

Hope and youth: $20 million.

Anticrime Youth Council. Listen to this: $5 million to public and private community-based organizations so kids sit around in groups of no more than five and discuss crime.

□ 2300

But the one that is really unbelievable is this: It is a program called the family unity demonstration project, $22 million to the States and Federal prisons chosen by the Attorney General. Grants are to put convicted criminals in residential facilities so the criminals can live with their children. The children must be 7 years of age and under, the criminals cannot be convicted of a violent crime against a person or sex offense, but they can be drug traffickers and burglars. And a district court can sentence a defendant directly to this residential facility.

Can you imagine that? Twenty-two million dollars, and have to worry about whether or not the Federal Bureau of Prisons is going to lease the home or apartment building next to you or the apartment next to you in which to house a convicted felon so he can live with his family.

It goes on and on. Olympic youth development centers, $50 million. The U.S. Olympic committee will develop at least six centers for sports activity for youth, $30 million to boys and girls clubs in public housing, $22 million for gang resistance education and training.

Mr. Speaker, I cannot even get through the list of social programs that are involved in all of this.

Now, the debate surrounding crime, prisons, and especially the truth in sentencing, it deals a lot with what we know as States rights. Let's think about that, States rights. Let's think about what President Johnson said until 1967. He said, and this is a quote, "the Federal Government must never assume the role of the Nation's policemen. True, the Federal Government has certain direct law enforcement responsibilities, but these are carefully limited to such matters as treason, espionage, counterfeiting, tax evasion, and certain interstate crimes."

Now, where does the Federal Government become involved, now, today? The big crime bill came in the appropriations to the Department of Justice, where we had to fight to add back money that had been stripped by the administration for DEA agents, FBI agents, INS agents, and the Byrne grant. We had to add back 150 percent because the Byrne grant goes to the States for the purpose of empowering local law enforcement agencies to work together on a multijurisdictional basis in order to fight drugs.

That is the biggest role the Federal Government has today, is the interdiction of drugs at the borders, and, of course, inside as the drugs come in, because that is something that is simply the local police departments cannot do.

Well, lots of programs. But we need a crime program. We need to pass something less complex, yet much more effective.

The crime program has to respect the States. It is called federalism. I am a cosponsor of H.R. 4592, introduced by our colleague, Representative SENSENBRENNER. This legislation is 5 pages long, as opposed to 1,100. It simply rebates 2 percent of the personal Federal income tax collected from each State back to each State. These funds would be earmarked for crime fighting. That is, the States could build or expand and operate prisons, add personnel to their court system, such as judges, prosecutors, public defenders, clerks, and any other support staff needed, hire more police, buy more equipment, or simply rebate the money back to the taxpayer.

This would truly bring the debate of crime fighting back to where crime is really fought, the State and local level. The local police chiefs and sheriffs know much more about fighting crime than 535 Members of Congress.

Let the local officials decide where to spend the resources to fight crime. Many will say this is a pie in the sky dream, that we could not get this kind of bill passed. Well, it would fund for 5 years $55 billion. That is far more than $32.7 over 6 years. And you know what? It is a continuing amount that goes back to the States.

Incredible. It is so simple. With the Sensenbrenner legislation, there is far less bureaucratic hoops the States need to jump through.

Mr. Speaker, we all need to fight crime, the State, the local, and the Federal level. We do not all agree on how to fight crime, but we do agree that the Clinton crime bill is not the way to do it.

THE GUAM WAR RESTITUTION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 30 minutes as the designee of the majority leader.

Mr. UNDERWOOD. Mr. Speaker, tonight I will continue telling the Nation the story about the people of Guam and their unique experience in World War II, and I will continue telling the Nation of my efforts to bring closure to this story and justice to the people of Guam. This is not the first time I have spoken to this House and to the American people about the wartime atrocities that were endured during World War II by the people of Guam, and today is a most auspicious day to be telling this story—today is the anniversary of the dropping of the atomic bomb on Nagasaki.

But it is not to reopen old wounds that I raise this subject—rather it is to heal the wounds of a people, the people of Guam, who have a compelling case to make before their Federal Government, and of a government that seems unwilling to hear this story and unwilling to act to correct the injustices committed against the people of Guam in World War II.

I want to make it clear from the start that my chronicling of the atrocities committed on my people is not meant to justify the bombing of Hiroshima and Nagasaki—those events clearly stand apart from the experience of the people of Guam. But there is a parallel in that while some events in the tragic history of World War II—events etched in our collective memory

from Pearl Harbor to Hiroshima—command attention, other equally important events suffer from the neglect of history. And if the neglect of history in and of itself is not a crime, the neglect of the Federal Government to right the wrongs committed on Guam by the enemy occupation of our island is as close to criminal neglect as a government can come.

The central point is that Guam was the only American territory occupied in World War II—not the Philippines, which although was an American territory at the time, was promised its independence before the outbreak of war, and in fact became independent in 1946; and not the Aleutian Islands, which were also occupied by the Japanese but whose inhabitants were evacuated by the U.S. Army prior to the start of hostilities.

So from the invasion day of December 10, 1941, to Liberation Day on July 21, 1944, Guam was the only American soil with American nationals occupied for 32 months by an enemy; something that has not happened on American soil since the War of 1812.

It is now 50 years since the Liberation of Guam in 1944, and if anything, time has not meant that all is forgotten and forgiven—not until there is national recognition of what happened to our fellow Americans on Guam and how their Federal Government failed to make them whole and to right the wrongs of the occupation.

The 50th anniversary of D-day in Normandy in June, and today's anniversary of the bombing of Nagasaki, as well as the 50th anniversary of the events of World War II being commemorated across Europe and the Pacific, have afforded an opportunity to reflect on the war experience. For the people of Guam, it has also focused attention on our own experience, and on the unfinished business of that war.

The occupation of Guam which lasted from December 1941 to July 1944 was especially brutal for two reasons—first, the Japanese were occupying American territory with American nationals whose loyalty to the United States would not bend; and second, the Chamorus, the indigenous people of Guam, dared to defy the occupiers by assisting American sailors who had evaded initial capture by the enemy by providing food and shelter to the escapees.

In the final months of the occupation, the brutalities increased. Thousands of Chamorus were made to perform forced labor by building defenses and runways for the enemy. Others were put to labor in rice paddies. The war in the Pacific turned for the worst for the Japanese occupiers, and in the final weeks, as the preinvasion bombardment by American planes and ships signalled the beginning of the end for the occupation army, the atrocities likewise escalated.

Forty-six Chamorus in the southern village of Malesso were herded into caves, and were summarily executed by the enemy throwing hand grenades into the caves and spraying the caves with rifle and machinegun fire. Miraculously, some survived by pulling the bodies of their fallen fellow villagers over themselves to protect against the rain of shrapnel and bullets. They survived as witnesses to the atrocities.

One elderly woman called on me during my campaign for Congress and asked me to never let this country forget what happened on Guam and to promise that I would do everything I could to bring justice and recognition to the people of Guam.

Mr. MANZULLO. Mr. Speaker, if the gentleman will yield, I wish to commend the gentleman from Guam, who is my next-door neighbor on the fifth floor of Cannon, for his tenacity, to bring home to the people of America what happened on that island. The gentleman is a historian, comes from the academic community in Guam, and has had many displays here in Congress, one of which was recently displayed in the rotunda of the Cannon Office Building.

I examined very closely what the gentleman had done, and I commend the gentleman for making history something that we should never forget, because we never want to repeat the errors and the punishment of it. I thus commend the gentleman for his devotion to the history of the area that he represents.

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Mr. UNDERWOOD. I appreciate those comments very much from my very distinguished neighbor on the fifth floor. It is neighbors like you that make sitting in this House worthwhile.

Continuing with the story, she survived the massacre in Malesso, and bore the scars of that massacre in the shrapnel in her back and in her feet, so that every time she walked, with every step, she was reminded of that nightmarish occurrence on Guam. Sadly, she died last year.

In the capital city of Agana, another group of Chamorus were rounded up, and one by one, executed by beheading and mutilation by swords. Again, miraculously, one survived, Mrs. Beatrice Flores Emsley, to bear witness to what happened on our island. Mrs. Emsley still bears the long scar down the side of her neck where a sword struck her. She fainted after being struck, and awoke 2 days later with maggots all over her neck, but thankful to be alive. Mrs. Emsley will, of course, never forget what happened on Guam.

Judge Joaquin Manibusan, a retired Judge on Guam, was a young man during the war. Again, in the last weeks before liberation, he was rounded up along with a large group of Chamorus to bear witness to another atrocity. Judge Manibusan was forced to help dig a shallow hole in front of a Chamoru man. Three men were then made to kneel in front of three freshly dug graves, and each man was in turn beheaded.

Judge Manibusan still lives to bear witness to this atrocity, [but if his bearing witness is not convincing enough, he was able to obtain a picture of that execution scene from the records of the war crimes trial on Guam. This picture depicts to the three Chamoru men kneeling in front of their shallow graves moments before they were struck down. I am thankful that he kept this picture for over 50 years, so] that even as all these brave Chamorus died from the passing of time, we, their sons and daughters, will be able to continue their fight and bear their witness until we achieve justice for the people of Guam.

Thousands of Chamorus, not hundreds, but thousands, were forced to march from their villages in northern and central Guam to internment camps in southern Guam in the weeks before liberation. Everyone marched, old men and women, newborn babies, children, and the sick. They were marched to internment camps at Maimai, Malojloj and Manengon, where they awaited their fate for the next few weeks—many did not live to see Liberation.

Many did not live, but their brothers and sisters survived, their children survived and the fellow Chamorus survived, again to bear witness to these atrocities.

In their final acts of retribution against the people of Guam, the Japanese occupiers inflicted a violence against our people that can not be easily forgotten. The Catholic High School for young men on Guam, Father Duenas Memorial School in Tai, bears witness to the courage of one young priest, who in the last days before Liberation, was also beheaded as revenge for the occupiers' frustration in not capturing the lone American sailor who had evaded their grasp with the aid of the Chamorus. The memory of this noble young priest lives on as the high school named in his honor stands witness to his courage.

Against this backdrop of terror, the Liberation of Guam began on July 21, 1944. On that fateful day, two groups of people came together—one was in uniform and the other was in rags; one used weapons of war and the other used tools for survival; one came in from the sea and the other came down from the hills; one left their families behind and the other tried to keep their families with them; one liberated the island from without and the other liberated the island from within.

In their meeting the great historical drama that Guam alone could play came to pass, as American soil was liberated from enemy hands, as American Marines and American soldiers were

united with American civilians held captive in internment camps on American soil.

The battle-hardened American servicemen came to Guam concerned about meeting a determined enemy; but these men soon came to understand the special nature of this battle among all of those in the Pacific War—indeed among all the battles of World War II. This was a reoccupation, this was retaking what was once lost, what was once American.

And as the young Marines and soldiers saw our people come down from the hills, they broke down and openly wept, as the saw Guam's children emerge from the hills carrying hand made American flags; as they saw Guam's old men and women emerge from the internment camps clutching rosaries and thanking the young liberators for their deliverance from certain death.

The story of the people of Guam cries out for attention and understanding. And the story has a dimension of unfinished business, of an injustice that must be corrected, and of a legacy of loyalty that has been tarnished by the neglect of the Federal Government.

In the aftermath of liberation, a grave injustice occurred that to this day, 50 years later, has yet to be undone.

The Treaty of Peace with Japan, signed on September 8, 1951 by the United States and 47 allied powers, effectively precluded the just settlement of war reparations for the people of Guam against their former occupiers. In the treaty, the United States waived all claims of reparations against Japan by United States citizens.

Consider now how ironic it is that the people of Guam became American citizen just 1 year earlier, on August 1, 1950, by virtue of the Organic Act of Guam—a citizenship that was granted to the people of Guam largely because of their demonstrated loyalty to America during the occupation.

The historical events surrounding the signing of this Treaty of Peace creates a compelling argument that the Federal Government, including the United States Naval Government of Guam and the U.S. Congress, failed to address the circumstances of the Americans on Guam and allowed a situation to develop over the years where justice was delayed, and ultimately denied.

The bitter irony then is that the loyalty of the people of Guam to the United States has resulted in Guam being forsaken in war reparations.

Did the Federal Government simply forget what had happened on Guam? Unfortunately, the answer is not that Guam was forgotten at all, but that at critical historical moments, Guam's unique situation escaped the attention of lawmakers in Congress and government officials in the Naval Government of Guam.

In fact, the record shows a deliberate attempt by Congress and the Navy to address the reparations issue and to do right by the people of Guam for their wartime loyalty—that they fell short in their attempts is the cause for our efforts to seek redress 50 years later.

This is not a case of people belatedly asking for something that they are not entitled to by justice or by design—it is a case of the law falling short in the goal of making Guam whole after the war, and of Congress neglecting to address the issues that were raised by its own War Claims Commission and the recommendations made by the committee appointed by the Secretary of the Navy to investigate the war claims issue on Guam after the war.

Recognizing the immense devastation and the dramatic and urgent need for rehabilitation after the war, on November 15, 1945, scarcely 3 months after the end of hostilities against Japan, Congress passed the Guam Meritorious Claims Act, Public Law 79-224, "granting immediate relief to the residents of Guam by the prompt settlement of meritorious claims". The following year, 1946, Congress also passed the Guam Land Transfer Act, Public Law 79-225, and the Guam Rehabilitation Act, Public Law 79-583. While the Guam Meritorious Claims Act (Public Law 79-224) became the primary means of settling war claims for the people of Guam, the Guam Land Transfer Act provided a means of exchanging land for resettlement purposes and the Guam Rehabilitation Act (Public Law 79-583), which appropriated $6 million for construction, was the means for economic rehabilitation.

Unfortunately, conditions on Guam in 1945-46 did not lend themselves to the best of congressional intentions. During the battle to liberate Guam, over 80 percent of the buildings were destroyed. The capital city, Agana, and the second largest city, Sumay, were completely destroyed.

Once the island was secured, Guam became the forward operating base for the subsequent invasions of the Philippines, Iwo Jima, and Okinawa. Over 45 percent of the land mass was acquired for this wartime effort, and over 200,000 military personnel came to Guam to prosecute the war against Japan. The Chamorus, numbering about 20,000, were temporarily housed in refugee camps set up by the military—their former cities of Agana and Sumay were razed to make room for the new bases and the mass mobilization of troops.

To their great credit, the Chamorus did not complain; in fact, they helped the military in every way they could to help defeat their former oppressors.

The post war period brought more upheaval. The naval government of Guam, which governed the island during and after the war, used the authority of the Guam Land Transfer Act and the Guam Rehabilitation Act to first fulfill its priority of building permanent naval bases. The concerns of the civilian community were a distant second to the Navy, and in 1950, 6 years after liberation, the report of the War Claims Commission with respect to war claims arising out of World War II stated that, "no organized program for reconstruction of damaged or destroyed civilian facilities had been undertaken." (House document No. 580, 81st Congress, 2d Session, page 44.)

If the cities were not being rebuilt, and I must point out that the city of Sumay was never rebuilt and became a footnote of history because it had the misfortune of being located next to the new Naval Station at Apra Harbor, where were the Chamorus living? In makeshift houses, built largely with war scraps, in 21 villages scattered along the length of the island. It is in this atmosphere of liberation and displacement that the Navy attempted to administer a flawed war claims program.

In asking Congress in 1994 to revisit the Guam war reparations issue, I am not asking Congress to embark on anything new, or to create new precedents. I am simply asking Congress to correct the errors of the Federal Government's attempts in 1946 to resolve these issues.

I am also asking Congress to complete the task it set out to do in 1946; a task made all the more necessary because of the historical circumstances surrounding the Treaty of Peace with Japan. I am simply the latest elected leader from Guam, in an unbroken line from the first Speaker of the First Guam Legislature in 1951, to the first elected Governor of Guam in 1970, and the first elected Delegate to Congress in 1972, and all their successors, to ask Congress to address the injustice of the Guam war reparations on behalf of our people.

When Congress passed the Guam Meritorious Claims Act in 1945, the intent was to make Guam whole and to address the claims arising out of enemy occupation and damage caused in the battles to liberate Guam. Both the House and Senate reports on the Guam Meritorious Claims Act, Senate bill S. 1139, state that:

> The Japanese invasion and occupation resulted in extensive damage to private property on the island. Further damage resulted from our reconquest. As a result of the two periods of combat and the actions of the Japanese occupying force during the interim, the people of Guam have suffered extensively, and it is believed that immediate steps should be taken to alleviate their suffering. The fairest, most equitable, and most immediate method of achieving this end would be through the early settlement of claims for damages arising in the period since December 6, 1941, and caused by the activities of the Japanese and American military forces." (Senate report 442, 79th Congress, 1st session, page 1; House report 1135, 79th Congress, 1st Session, page 2).

Congress, in 1945, was concerned about conditions on Guam and the need

to address the war claims of the Chamorus. In a hearing on March 14, 1945, just 8 months after the Liberation of Guam and before the war ended, Congressman Walter Ploeser testified on the Navy's appropriations bill for 1946, that:

At the time we were there (on Guam) no one of the civilian group or the inhabitants of the island had ever made a complaint to our Government, or to our naval forces occupying the island about their claims for the destruction of their property.

The story goes that these people stood on the hill and cheered every time we knocked a building down and did everything in their power to help us in our fight against the Japanese. That is quite unusual for an American national. Certainly it would be most unusual for an American citizen not to make a claim after the Government had destroyed his property, but these people have not done so. There has been no complaints whatsoever. They were waiting patiently, feeling confident that the Americans would do something about it.

I should mention that the record shows that Congressman JAMIE WHITTEN of Mississippi, a Member of the current Appropriations Committee, was present at this particular hearing.

Hearings were held in October 1945 to address the Guam war claims issue, and on November 15, 1945, the Guam Meritorious Claims Act became law (Public Law 79–224). Public Law 79–224 provided for a 1 year period to file claims to a Commission composed of Naval and Marine officers, who could authorize property settlements up to $5,000. Property settlements over $5,000 as well as all death and injury claims, must be forwarded to the Secretary of the Navy in Washington for certification, and then submitted to Congress for appropriation. In a bizarre twist of bureaucratic logic, death and injury claims were to be considered only as a basis for property damage; in other words, a claim could not be paid solely for a man executed for loyalty to the United States, but could be paid for a man who died if that claim was related to other property damage.

There are a number of significant flaws in the Guam Meritorious Claims Act, and the resolution of these issues that remain with us today is the reason I introduced on July 13 H.R. 4741, the Guam War Restitution Act, to complete the work that was never finished by Congress, and to bring closure to this issue.

The 1945 Guam Meritorious Claims Act allowed only 1 year for claimants to file with the Claims Commission. The deadline for all claims expired on December 1, 1946. Many Chamorus were not aware of the Claims Commission's work due to language barriers, displacement from their homes and misunderstanding of the procedures. However, due to the cumbersome procedures the Navy employed in processing the claims, the 1 year deadline did not speed up the processing of claims, and served no useful purpose except to deny valid claims filed after December 1, 1946.

The Guam Meritorious Claims Act required that claims be settled based on pre-war 1941 values. This meant that property claims were undervalued, and that residents of Guam were not able to replace structures destroyed during the war.

The Guam Meritorious Claims Act did not allow compensation for forced march, forced labor, and internment during the enemy occupation. This was a serious flaw in Public Law 79–224. Another law passed in this same time period for other war claims, the War Claims Act of 1948, Public Law 80–896, allowed for compensation for American citizens and American nationals for internment and forced labor. Only Guam was treated differently, yet Guam stood alone as the only American territory occupied in the war. In fact, while the War Claims Act of 1948 specifically excluded Guam, it allowed compensation for these atrocities for the Philippine citizens who were American nationals during the war, although the Philippines gained its independence from the United States in 1946.

The Guam Meritorious Claims Act allowed death and injury claims only as a basis for property claims. This was another provision unique to the Guam law, and an unexplainable stipulation. The Guam bill, Senate bill S. 1139, was actually modeled on a claims bill passed for other Americans in 1943, the Foreign Claims Act. The legislative history for the Foreign Claims Act emphasized the need to address these claims. In a floor statement on April 12, 1943 in support of passage of this bill, Senator Barkley noted that, "it is necessary to do this in order to avoid injustices in many cases, especially in cases of personal injury or death." (Senate Report 145, 78th Congress, 1st Session, pp. 2–3). The original language for S. 1139, following the Foreign Claims Act model language, allowed the Claims Commission to adjudicate claims for personal injury and death. But the language was amended by the Senate Naval Affairs Committee to ensure that the U.S. Government, and specifically the Navy, would not be setting a precedent or legal obligation for the Navy. (CONGRESSIONAL RECORD, 79th Congress, 1st session, pp. 9493–9499.) However, these types of concerns were not raised for the almost identical situation of the Philippines, or other American citizens or nationals when the War Claims Act of 1948 was passed by Congress.

The Guam Meritorious Claims Act encouraged Chamorus to settle claims for lesser amounts due to the time delay in having claims over $5,000 sent to Washington for congressional approval. Again, this was a procedure unique to the Guam law. No such requirement existed for those covered under the 1948 War Claims Act. The net effect on Guam was that Chamorus with property damage over $5,000 would lower their claims just so that they could be compensated in some fashion and get on with their lives.

The flaws in the Guam claims program were brought to the attention of Congress in 1947 by a committee formed by the Secretary of the Navy, James Forrestal, to assess the Naval administration of Guam. This committee included Mr. Ernest M. Hopkins, retired President of Dartmouth College, Mr. Maurice J. Tobin, former Governor of Massachusetts and Mr. Knowles A. Ryerson, dean of the College of Agriculture at the University of California. The Hopkins Committee, in its report, addressed the serious flaws and shortcomings of the Guam Meritorious Claims Act, and reported:

The [Navy] regulations provide in rules 4a and 5b that the market value of damaged or destroyed real or personal property shall be determined as of December 6, 1941 . . . Replacement costs are far in excess of the 1941 value and so-called relief is apt to be only a hollow gesture when the amount received is a small fraction of what will be needed to acquire a new home, or furniture, or tools or of what is required for present day family support.

In reviewing the death and injury claims, the Hopkins Committee minced no words about the injustice they found:

. . . under the [Navy] regulations, injury and death claims require an involved computation . . . When the calculation is finally computed, the amount awarded is often a mere pittance. Some simpler procedure should be devised and more latitude should be given to the [Claims] Commission to arrive at just and equitable figures in view of all circumstances.

I want to emphasize this point again—the Hopkins Committee found in 1947 that payments to Chamorus for death and injury claims paid by the Navy to be a "mere pittance".

Further, with respect to the Guam Meritorious Claims Act requirement that death and injury claims be allowed only incident to property damage, the Hopkins Committee recommended that:

The regulations should be amended to eliminate values or standards as of December 1941, as the measure of damage and more liberality should be practiced in passing upon claims.

The Hopkins Committee report concluded that:

. . . payment of war damage claims . . . has been proceeding much too slowly . . . Immediate steps should be taken to hasten this process and to remove unsound and unfair distinctions in the allowance of claims—Officials of the Claims Commission have testified to the basic honesty and fairness of the Guamanians in presenting their claims. Review in Washington of claims between $5,000 and $10,000 serves no useful purposes.

And the Hopkins Committee documented in 1947 what was happening with claims settlement process:

When many claimants are advised that the local Claims Commission has power to settle

and make immediate payment of claims not in excess of $5,000, but that claims above that amount must go to Washington for further action with an indefinite time required for payment, they offer or agree to reduce their claims to below $5,000 and accept the loss above that amount, so as to get some cash for much needed personal rehabilitation.

Incredibly, a member of the Hopkins Committee that visited Guam earlier in 1947, Mr. Tobin, testified on May 28, 1947 before the House Committee on Public Lands hearing on the Guam Organic Act legislation that:

At the present time, not one settlement has been made to the people for personal injuries or death. (Organic Act of Guam Hearing Report p. 169)

A year and a half after the Guam Meritorious Claims Act was passed, and 3 years after Liberation, the Federal Government had not yet settled a single claim for injury or death.

Days later, on June 3, 1947, Secretary of the Interior Harold Ickes, testifying before a House Committee on Public Lands hearing on the Organic Act of Guam legislation, strongly criticized the Naval Government's handling of the Guam war claims. Secretary Ickes stated:

I hope that the secretary and members of this committee have read carefully the report of the Special Civilian Committee appointed by Mr. Forrestal. That report fully supports the most important allegations . . . extreme dilatoriness in the disposal of war damage claims; laxity in performing the work of rehabilitation . . . the inefficient and even brutal handling, by the Navy, of the rehabilitation and compensation of the war damage tasks." (Organic Act of Guam Hearing report, pp 243–249.)

Secretary Ickes further chastised the claims process by testifying that:

. . . only 5.8% of the estimated value of claims on file had been processed . . . At this rate, the settlement of claims will not be completed for more than twenty years . . . Such a pittance may be observed by referring to claim No. 21 transmitted to Congress on April 5 last; the life of the man who was beaten to death by the Japanese because of his loyalty to the United States was capitalized at precisely $665 [six hundred sixty five dollars], with .10 [ten cents] thrown in for good measure.

Such procedures, and such shameful results as above, have not been forced upon the Navy by Congress or the President or the Budget or by anyone. They are exclusively the Navy's own and throw a strong light on the Navy's high regard for human life. (Organic Act report, pp. 247–249)

The Hopkins Committee transmittal letter of March 25, 1947, of its report to the Secretary of the Navy, likewise contained strong criticism of the Navy's handling of war claims on Guam. The transmittal letter states in part:

In the case of Guam, the war brought wide spread destruction . . . But over and beyond this it brought deaths to many, brutalities to more, and ruthless oppression to all over a long period. Now months after cessation of hostilities they find themselves, because of the strategic position of their native island, outnumbered in population by military forces . . . in considerable number they are dispossessed of home and lands which have been destroyed or taken from them and they are without adequate understanding of the processes by which to secure replacement or compensation for these . . . There is no lack of knowledge on the part of Navy officials of what ought to be done or how to do it . . . Only so can justice be done to a valiant group of Americans who at great cost to themselves remained steadfastly loyal during the war but many of them still lack housing to replace that destroyed by our bombs and shells . . . It would seem to your committee that in so special a case as this our government could well be very generous in method of distributing its relief as well as generous in amount awarded, it has been neither. (Hopkins Committee Letter of Transmittal to Secretary Forrestal, dated March 25, 1947)

In spite of all these recommendations, in spite of the Hopkins Committee report, in spite of the testimony of Secretary of the Interior Harold Ickes, nothing happened.

In 1946 Congress passed the Philippine Restoration Act of 1946, Public Law 79–370, which resulted in the payment of over $390 million to the Philippines. In contrast, Guam's total war claims amounted to $8.1 million—$3.75 million for property claims under $5,000 and $4.3 million for death, injury and property claims over $5,000.

Congress then passed the War Claims Act of 1948, to address war claims of American prisoners of war, and other American citizens with claims for internment, forced labor, death, and injury. It included religious organizations and defense contract employees, and allowed for compensation for any American citizen interned by the Japanese.

Thus while American citizens who were captured on Guam and interned in Japan as prisoners were eligible for reparations under this law, the American nationals on Guam who were interned in camps on American soil were not eligible; and in another irony, American nationals from Guam who were captured on Wake Island and interned in Japan were eligible, but their families who were interned on Guam were not.

So while my grandfather, who was an American citizen on Guam was eligible for reparations because he was interned in Japan, my grandmother, and all her children, who were interned in camps on Guam were not eligible. The people of Guam tragically, were not included in this legislation in 1948.

The War Claims Act of 1948 also required a Commission to report on the progress of the settlement of claims. A preliminary report was issued in 1951, and a final report was issued in 1953. In the intervening years, the Treaty of Peace with Japan was signed in 1951 and implemented in 1952, waiving all claims of American citizens against Japan.

The Treaty of Peace with Japan also raised a number of questions concerning the issue of war reparations. In responding to a Senate request for clarification of this issue prior to ratification of the treaty, John Foster Dulles, who negotiated the treaty and later became the Secretary of State, in a memorandum of January 31, 1952, titled, "Compensation For Claims Of United States Nationals For Losses Incurred Outside Japan As A Result Of Japanese Military Operations And Occupation," wrote:

Allied Powers in whose territory United States nationals sustained property losses may make such United States nationals eligible to receive such compensation as they are able to provide for war losses. It does not appear, however, that American nationals who sustained losses in the territories of any of the Allied Powers can expect to receive compensation commensurate with their losses. Accordingly, United States nationals whose claims are not covered by the treaty provisions or by the legislation of other Allied Powers, must look for relief to the Congress of the United States. (Report on the Hearings of the Senate Committee on Foreign Relations on the Japanese Peace Treaty, January 25, 1952, pp. 145–147)

Since the War Claims Act of 1948 was an interim measure, Congress began considering remedial legislation to address the shortcomings in this law.

In 1962, Congress passed Public Law 87–846, amending the War Claims Act of 1962, to, as this bill's preamble reads:

provide more than sixteen years after the close of World War II, for determination of the amount and validity, and for the payment of claims of American nationals who suffered injury or death under circumstances specified in the legislation, or who suffered property losses as a result of military operations during World War II in certain European countries and in areas attacked by Japan.

Public Law 87–846 also extended the one year deadline for filing claims of the Philippine Restoration Act of 1946, but specifically excluded the island of Guam in section 202. Guam again was neglected, and it may be that Congress mistakenly thought that Guam's war claims were resolved long ago. Of course, this was simply not the case.

Not only were the rights of the people of Guam waived by the United States Government under the Treaty of Peace with Japan, but the United States also failed to seize Japanese property for payment of war claims, as was its right under article 14(a)2 of the treaty. The Philippine Government exercised this right and acquired over $9 million in Japanese assets, on top of war claims of over $390 million provided to the Philippines by the United States Congress in 1946.

During the war, the United States Government seized over $84 million in Japanese assets in the United States and turned these seized assets over to the Office of the Alien Property Custodian for disposal to pay for war claims of United States citizens. The United States Government could have seized additional assets from Japan, or entered into agreements with Japan, as

some allied powers did, to use Japanese labor in public projects as a form of war reparations.

Significantly, while the United States Government failed to do any of these things on behalf of the people of Guam, this same government in 1969 negotiated a $10 million war reparations claim on behalf of the Trust Territory of the Pacific Islands, which the United States administered under authority of the United Nations. The reparations settlement agreement negotiated between Japan and the United States were for claims of the Micronesian islands that were under Japanese control during the war. In 1971, the United States Congress passed the Micronesian Claims Act implementing this negotiated agreement for the former Japanese subjects. And again, while the United States provided for the claims of former Japanese islands, the claims of the United States citizens of Guam against Japan were neglected.

And finally, it should be noted that while Guam's war reparations were neglected, the United States Congress appropriated over $2.0 billion in post war assistance to Japan from 1946 to 1951.

But the people of Guam, who themselves bore witness to the atrocities committed against them, have never forgotten that a bill remains due, that a debt must be paid. The First Guam Legislature, in its first session as a civilian government after the war, on August 10, 1951, passed as one of its first official acts, a resolution asking the President and the United States Congress to address war reparations for atrocities committed on Guam. Again, in 1954, in a meeting between Members of Congress and the Guam Legislature, the case was made to address Guam's war claims. And again, nothing happened.

Guam's political status has always worked against its efforts to achieve justice. Guam did not gain representation in Congress until its first Delegate was elected in 1972. Guam did not have civilian self-government in the years after World War II leading up to the treaty with Japan. So it is easy to see how one small island's claims for justice can be forgotten or neglected in Washington—it is understandable, but it must nevertheless be corrected.

I introduced H.R. 4741, the Guam War Restitution Act, on July 13, 1994, to resolve this longstanding injustice, an injustice spanning 50 years. I stand as a witness to what happened on my island, to what happened to my own father and mother, just as every Chamoru bears witness today to his family's ordeal during the occupation.

The sums of the restitution in H.R. 4741 are quite modest by today's standards, because for us, it is not a money issue, it is a justice issue. In the case of death, the compensation is $20,000 to be divided among surviving heirs. Injury is compensated at $7,000, based on the values allowed in the 1946 claims, and forced labor, forced march, and internment is compensated at $5,000, again comparable to the 1946 settlements. The total cost to the Federal Government will be between $20 million and $80 million, due to the fact that it is difficult to estimate the numbers of surviving Chamorus who still have valid claims to this day.

For the thousands of Chamorus whose claims were neglected by actions of the Federal Government, the issue will not go away just because 50 years have passed—if anything, the issue assumes more intensity.

Let me read for you some claims that were denied by the Naval Claims Commission in 1947:

Francisco Flores Crisostomo filed a claim on behalf of his son, Jesus Duenas Crisostomo. The young boy was killed in August 1944 when he risked his life to show American troops a hidden Japanese position. Although the boy's actions no doubt saved the lives of some American soldiers, the claim was denied because it was after the deadline.

Juan Santos Tenorio was beaten so severely on the back and head by the Japanese that he was bedridden for over 1 month. Although he was interviewed by Navy officers, this did not count as a filed claim. He later filed a written claim only to be denied because the claim again was filed late.

The Guam War Reparations Commission has on file 3,365 cases of filed claims that were never settled. Each claim is a story of brutality and unfortunately, a story of injustice by our own Government.

There must be a closure to this saga, there must be an effort by Congress to address the unfinished legacy of World War II. In closing, let me quote from the report of the Commission formed to review the War Claims Act of 1948:

> In the final analysis, compensation for war damages rests upon an oral obligation to see that the individual citizen does not bear more than a just part of the overall burden of war.* * * Had United States citizens suffered losses on American soil, no question would be raised as to their moral right to compensation. The good fortune which the United States as a whole enjoyed in having its own cities spared destruction by war should not, in the opinion of the commission, be converted into a misfortune to the citizen who has borne more than his burden of the cost of war.* * * No nation was ever injured by its justice nor impoverished by its benevolence.

Mr. Speaker, I urge my colleagues to cosponsor the bill, H.R. 4741, the Guam War Restitution Act.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KOLBE) to revise and extend their remarks and include extraneous material:)

Mr. HORN, for 5 minutes, today and on August 10, 11, 12, 15, and 16.

Ms. ROS-LEHTINEN, for 5 minutes, on August 10.

Mr. GEKAS, for 5 minutes, today.

Mr. LEWIS of Kentucky, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, on August 10.

Mr. CANADY, for 5 minutes, on August 10.

Mr. KOLBE, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. WELDON, for 5 minutes, today.

(The following Member (at the request of Mr. KREIDLER) to revise and extend his remarks and include extraneous material:)

Mr. DURBIN, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. KREIDLER, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. NADLER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. KOLBE) and to include extraneous matter:)

Mr. PACKARD.
Mr. WELDON.
Mr. WALSH.
Mr. KING.
Mr. GUNDERSON.
Mr. POMBO.
Mr. HUNTER.

(The following Members (at the request of Mr. KREIDLER) and to include extraneous matter:)

Mr. MINETA.
Mr. REED in two instances.
Ms. SHEPHERD.
Mr. STOKES.
Ms. EDDIE BERNICE JOHNSON of Texas.
Mr. COYNE in two instances.
Mr. HAMILTON in two instances.
Mr. RICHARDSON.
Mr. RAHALL.
Mrs. MALONEY.
Ms. WOOLSEY.
Mr. TOWNS.

(The following Members (at the request of Mr. UNDERWOOD) and to include extraneous matter:)

Mr. VALENTINE.
Mr. COSTELLO.
Mr. BARLOW.
Mr. STUPAK.
Ms. CANTWELL.
Mr. QUINN.
Mr. ROGERS.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 178. Joint resolution to proclaim the week of October 16 through October 22, 1994, as "National Character Counts Week."

ADJOURNMENT

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 32 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 10, 1994, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3659. A letter from the Administrator, Agency for International Development, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Agency for International Development, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3660. A letter from the Comptroller of the Department of Defense, transmitting a report of a violation of the Anti-Deficiency Act, in the U.S. Property and Fiscal Office [USP&FO], State Military Reservation, Havre de Grace, MD, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

3661. A letter from the Assistant Secretary (Atomic Energy), Department of Defense, transmitting notification that the report on the management of the chemical and biological defense program will be submitted by September 1, 1994, pursuant to 50 U.S.C. 1522; to the Committee on Armed Services.

3662. A letter from the Principal Deputy Under Secretary of Defense, transmitting selected acquisition reports [SARS] for the quarter ending June 30, 1994, pursuant to 10 U.S.C. 2432; to the Committee on Armed Services.

3663. A letter from the Acting Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1999 resulting from passage of H.R. 1873 and H.R. 572, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3664. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to approve the location of a World War II memorial; to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GIBBONS: Committee on Ways and Means. H.R. 3433. A bill to provide for the management of portions of the Presidio under the jurisdiction of the Secretary of the Interior; with amendments (Rept. 103-615, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOAKLEY: Committee on Rules. H.R. 4906. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to limit consideration of nonemergency matters in emergency legislation (Rept. 103-687). Referred to the House Calendar.

Mr. MOAKLEY: Committee on Rules. H.R. 4907. A bill to reform the concept of baseline budgeting; with an amendment (Rept. 103-688, Pt. 1). Ordered to be printed.

Mr. DERRICK: Committee on Rules. House Resolution 512. Resolution providing for consideration of the bill (H.R. 4907) to reform the concept of baseline budgeting (Rept. 103-689). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. House Resolution 513. Resolution providing for consideration of the bill (H.R. 4906) to amend the Congressional Budget and Impoundment Control Act of 1974 to limit consideration of nonemergency matters in emergency legislation (Rept. 103-690). Referred to the House Calendar.

Mr. DERRICK: Committee on Rule. House Resolution 514. A resolution providing for consideration of the bill (H.R. 4822) to make certain laws applicable to the legislative branch of the Federal Government (Rept. 103-691). Referred to the House Calendar.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

The Committee on Government Operations discharged from the further consideration of H.R. 3433; H.R. 3433 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EDWARDS of California (for himself and Mr. HYDE):

H.R. 4922. A bill to amend title 18, United States Code, to make clear a telecommunications carrier's duty to cooperate in the interception of communications for law enforcement purposes, and for other purposes; to the Committee on the Judiciary.

By Mr. BARCA of Wisconsin:

H.R. 4923. A bill to equalize the minimum adjustments to prices for fluid milk under milk marketing orders and to require the Secretary of Agriculture to conduct a study regarding the solids content of beverage milk; to the Committee on Agriculture.

By Mr. FIELDS of Texas (for himself, Mr. STUDDS, and Mr. BEILENSON):

H.R. 4924. A bill to assist in the conservation of rhinoceros and tigers by supporting and providing financial resources for the conservation programs of nations whose activities directly or indirectly affect rhinoceros and tiger populations, and of the CITES Secretariat; to the Committee on Merchant Marine and Fisheries.

By Mr. HAMBURG:

H.R. 4925. A bill to extend for 1 year the authority of the Bureau of Reclamation to sell certain loans to the Redwood Valley Water District; to the Committee on Natural Resources.

By Mr. SCHUMER:

H.R. 4926. A bill to require the Secretary of the Treasury to identify foreign countries which may be denying national treatment to U.S. banking organizations and to assess whether any such denial may be having a significant adverse effect on such organizations, and to require Federal banking agencies to take such assessments into account in considering applications by foreign banks under the International Banking Act of 1978 and the Bank Holding Company Act of 1956; to the Committee on Banking, Finance and Urban Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 127: Mr. REYNOLDS, Mr. LAROCCO, Mr. STUDDS, and Mr. BERMAN.

H.R. 417: Mr. LANTOS and Mr. SKEEN.

H.R. 846: Mrs. VUCANOVICH, Mr. HOCHBRUECKNER, Mr. BILBRAY, and Mr. CONDIT.

H.R. 1490: Ms. DUNN.

H.R. 1857: Mr. SCHIFF.

H.R. 2142: Mr. VENTO.

H.R. 2292: Mr. KNOLLENBERG.

H.R. 2467: Mr. BROWDER.

H.R. 2638: Mr. WYNN, Mr. LANTOS, Mr. BARCA of Wisconsin, Mr. FILNER, and Mr. GUTIERREZ.

H.R. 2646: Mr. DOOLITTLE.

H.R. 2717: Mr. SENSENBRENNER.

H.R. 2790: Mr. ANDREWS of Maine.

H.R. 2967: Mr. EVANS.

H.R. 3270: Mr. MCDADE, Mr. QUINN, Mr. DE LA GARZA, Mr. HALL of Texas, Mr. MAZZOLI, Ms. DANNER, Mr. FAZIO, Mr. GLICKMAN, Mr. CARDIN, and Mr. FARR.

H.R. 3328: Mr. STRICKLAND.

H.R. 3513: Mr. BARCA of Wisconsin.

H.R. 3546: Mr. MCCLOSKEY, Mr. BAESLER, Mr. LEWIS of Kentucky, and Mr. PARKER.

H.R. 3875: Ms. DUNN.

H.R. 3928: Mr. LEHMAN.

H.R. 4026: Mr. DICKS.

H.R. 4036: Mr. SHAW and Mr. BLILEY.

H.R. 4050: Ms. ENGLISH of Arizona and Mr. WAXMAN.

H.R. 4051: Mr. STUDDS and Mr. STUPAK.

H.R. 4074: Mr. CLEMENT, Mr. CHAPMAN, Mr. SHUSTER, Mr. DEUTSCH, Mr. CALVERT, and Mr. EMERSON.

H.R. 4114: Mr. RICHARDSON.

H.R. 4198: Mr. HANCOCK and Mr. BACHUS of Alabama.

H.R. 4260: Mr. BORSKI, Mr. JOHNSON of Georgia, and Mr. KLINK.

H.R. 4289: Mr. MANTON.

H.R. 4318: Mr. STUDDS.

H.R. 4345: Mr. MONTGOMERY.

H.R. 4371: Mr. BLILEY and Mr. FARR.

H.R. 4404: Mr. BEILENSON, Mr. WALSH, and Mr. YATES.

H.R. 4412: Mr. MCCLOSKEY, Mr. MANTON, Mr. PETERSON of Minnesota, and Mr. LEACH.

H.R. 4416: Mr. BREWSTER, Mr. OBERSTAR, Mr. LUCAS, Mr. COMBEST, Mr. ROSE, Mr. FROST, Mr. FINGERHUT, Mr. MINGE, Mr. MCHUGH, and Mr. KLUG.

H.R. 4507: Mr. NEAL of North Carolina.

H.R. 4514: Mr. CONDIT, Ms. FURSE, Mr. HEFNER, Mr. FOGLIETTA, Mr. FILNER, Mr. SWIFT, Mr. MORAN, and Mr. JEFFERSON.

H.R. 4560: Mr. BOUCHER.

H.R. 4570: Mr. DEUTSCH and Mr. FRANK of Massachusetts.

H.R. 4675: Mr. HILLIARD and Mr. MCCLOSKEY.

H.R. 4711: Mr. MEEHAN, Mr. JOHNSTON of Florida, Mrs. KENNELLY, and Mr. PARKER.

H.R. 4714: Mr. HOAGLAND and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4734: Ms. FURSE.

H.R. 4805: Mrs. THURMAN, Mr. MINGE, Mr. FRANK of Massachusetts, and Mr. POSHARD.

H.R. 4824: Mr. LEVY.

H.R. 4830: Mr. LEVY, Mr. FIELDS of Texas, and Mr. DARDEN.

H.R. 4831: Mr. FARR and Mr. SCHIFF.

H.R. 4841: Ms. VELAZQUEZ.

H.R. 4861: Mrs. MEYERS of Kansas.

H.R. 4883: Mr. BLUTE, Mr. CALVERT, Mr. LEWIS of Florida, Mr. LEVY, Mr. PACKARD, and Mr. HERGER.

H.R. 4893: Mr. BACHUS of Alabama.

H.R. 4897: Mr. PETE GEREN of Texas and Mr. FROST.

H.R. 4898: Mr. PETE GEREN of Texas and Mr. FROST.

H.J. Res. 355: Mr. CRAPO, Mr. THOMPSON, Mr. SWIFT, Mrs. MALONEY, Ms. FURSE, Mr. KLINK, Ms. ROYBAL-ALLARD, Mr. SPENCE, Mr. KENNEDY, Mr. LEWIS of Florida, Mr. WASHINGTON, Mr. GALLO, Mr. ROMERO-BARCELO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PETERSON of Minnesota, Mr. PICKETT, Mr. WHITTEN, Mr. SAWYER, Mr. BOEHLERT, Mr. HYDE, Mr. TRAFICANT, Mr. BROWN of California, Mr. FALEOMAVAEGA, Mr. SABO, Mr. KING, Mr. KILDEE, Mr. ORTON, Mrs. THURMAN, Mr. TEJEDA, Mr. OXLEY, Mr. TORRICELLI, Mr. GOODLING, Mr. BILIRAKIS, Mr. BALLENGER, Mr. WELDON, Mr. COX, Mr. DIAZ-BALART, Mr. PETE GEREN of Texas, Mr. BROWN of Ohio, Mr. BARRETT of Wisconsin, Mr. CASTLE, Mr. KIM, Mr. ROYCE, Mr. DOOLITTLE, Mr. GREENWOOD, Mr. KANJORSKI, Mr. BLUTE, Mr. GEKAS, Mrs. VUCANOVICH, Mr. LAROCCO, Mr. SHAYS, Mr. LEWIS of California, Mr. SANDERS, Mr. LEHMAN, Mr. MEEHAN, Mr. DARDEN, Ms. SCHENK, Mr. GUNDERSON, Mr. YOUNG of Alaska, Mr. HOEKSTRA, Mrs. BENTLEY, Mr. SERRANO, Mr. RANGEL, Mr. SANGMEISTER, Ms. PELOSI, Mr. TUCKER, Mrs. MINK of Hawaii, Mr. JOHNSON of South Dakota, Ms. VELAZQUEZ, Mr. HOCHBRUECKNER, Mr. RIDGE, Mr. CALLAHAN, Mr. BARTLETT of Maryland, Mr. MCCLOSKEY, Mr. PETRI, Mr. CARR, Mr. HOYER, Mr. TALENT, Mrs. BYRNE, Mr. GONZALEZ, Mr. MCCOLLUM, Mr. WOLF, Mr. WAXMAN, Mr. MENENDEZ, Mr. HOUGHTON, Mr. CAMP, and Mr. NEAL of North Carolina.

H.J. Res. 369: Mr. SCOTT, Mr. TORRICELLI, Mr. SANGMEISTER, Mr. DUNCAN, Mr. ENGEL, Mr. PICKLE, Mr. FINGERHUT, Mr. DURBIN, Mr. LEVIN, Mr. ABERCROMBIE, Mr. MATSUI, Mr. OLVER, Ms. NORTON, Mr. SYNAR, Mr. DICKS, Mr. HILLIARD, Mrs. VUCANOVICH, and Mr. SLATTERY.

H.J. Res. 382: Mr. BALLENGER, Mr. EVANS, Mr. ANDREWS of Maine, Mr. ACKERMAN, Mr. PARKER, and Mr. HALL of Ohio.

H.J. Res. 383: Mr. LIPINSKI and Mr. EMERSON.

H. Con. Res. 148: Mr. PALLONE.

H. Con. Res. 166: Mr. NEAL of North Carolina, Mr. BAESLER, Mr. PALLONE, and Mr. OBERSTAR.

H. Con. Res. 212: Mr. BROWN of Ohio, Mr. FAZIO, and Ms. NORTON.

H. Con. Res. 234: Mr. CARDIN, Mrs. ROUKEMA, Mr. SERRANO, and Mr. SLATTERY.

H. Con. Res. 243: Mr. LANTOS and Mr. POSHARD.

H. Con. Res. 256: Mr. ROTH.

H. Con. Res. 270: Mr. BAKER of California, Mr. PORTER, Mr. THOMAS of California, Mr. LINDER, Mr. BATEMAN, and Mr. CRANE.

H. Con. Res. 273: Mrs. MINK of Hawaii and Mr. HASTINGS.

H. Res. 21: Mr. DOOLITTLE.

H. Res. 255: Mr. SCHIFF and Mr. CASTLE.

H. Res. 270: Mr. SHAYS.

H. Res. 291: Mr. ROBERTS.

H. Res. 424: Mr. SLATTERY.

H. Res. 430: Mr. LEVIN, Mr. LEVY, and Mr. JOHNSON of Georgia.

H. Res. 434: Mr. CALVERT.

H. Res. 451: Mr. WILLIAMS and Mr. GOODLATTE.