

H.R. 4831: Mr. HORN.
 H.R. 4883: Mrs. JOHNSON of Connecticut.
 H.R. 4891: Mr. CRANE, Mr. BARCA of Wisconsin, Mr. OBERSTAR, and Mr. ANDREWS of Texas.

H.J. Res. 349: Mr. HOCHBRUECKNER, Mr. HALL of Ohio, Mr. SKEEN, Mr. JOHNSON of South Dakota, Ms. SNOWE, Mr. TEJEDA, and Mr. ACKERMAN.

H.J. Res. 369: Mr. ACKERMAN, Mr. BAESLER, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. BATEMAN, Mr. CALLAHAN, Mr. DARDEN, Mr. DE LUGO, Mr. FOGLIETTA, Mr. GEKAS, Mr. GEJDENSON, Mr. HASTINGS, Mr. HALL of Ohio, Mr. DEFazio, Mr. HOLDEN, Mr. McCLOSKEY, Mr. PALLONE, Mr. QUILLEN, Mr. PASTOR, Mr. RICHARDSON, Mr. SHUSTER, Mr. OBERSTAR, Mr. LEWIS of California, Mr. PORTER, Mr. BILBRAY, Mr. ROYCE, Mr. MYERS of Indiana, Mr. HOKE, Ms. PRYCE of Ohio, Mr. REGULA, Mr. WYDEN, Mr. REED, Mr. THOMAS of California, Mr. ARMEY, Ms. LOWEY, Mr. WAXMAN, Mr. DELAY, Mr. VENTO, Mr. STEARNS, Mr. GINGRICH, Mr. MENENDEZ, Mr. MURPHY, Mr. MURTHA, Mr. RIDGE, Mr. SCHUMER, Mr. SOLOMON, Mr. FIELDS of Texas, Mr. DELLUMS, Mr. WELDON, Mr. MONTGOMERY, Mr. LEACH, Mr. LEWIS of Georgia, Mr. WYNN, Mr. TAYLOR of Mississippi, Mr. ANDREWS of New Jersey, Mr. BEVILL, Mr. COOPER, Mr. BARTLETT of Maryland, Mr. BARLOW, Mr. BLUTE, Mr. FARR, and Mr. PETE GEREN of Texas.

H.J. Res. 378: Ms. DELAURO.
 H. Con. Res. 138: Mr. SCOTT, Mr. MEEHAN, Mr. LEWIS of Georgia, Mr. BEVILL, and Mr. CRAMER.

H. Con. Res. 150: Mr. VENTO.
 H. Con. Res. 225: Mr. CLAY.
 H. Con. Res. 235: Mr. ACKERMAN.
 H. Con. Res. 262: Mr. MCCREERY, Mr. CALAHAN, Mrs. THURMAN, Mr. UPTON, Mr. McCLOSKEY, and Mr. BEVILL.
 H. Res. 270: Ms. MOLINARI and Mr. GILLMOR.

TUESDAY, AUGUST 9, 1994 (93)

93.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BARLOW, at 10:30 a.m., who laid before the House the following communication:

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.

Whereupon, pursuant to the order of the House of Friday, February 11, 1994, and Friday, June 10, 1994, Members were recognized for "morning hour" debates.

93.2 RECESS—11:28 A.M.

The SPEAKER pro tempore, Mr. BARLOW, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 28 minutes until 12 o'clock noon.

93.3 AFTER RECESS—12:00 NOON

The SPEAKER called the House to order.

93.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, August 8, 1994.

Mr. DERRICK, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. DERRICK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present, The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 251
 Nays 153

93.5 [Roll No. 380] YEAS—251

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

- | | | |
|------------|----------|---------|
| Torricelli | Vento | Whitten |
| Towns | Viscosky | Wilson |
| Traficant | Volkmer | Woolsey |
| Tucker | Watt | Wyden |
| Unsoeld | Waxman | Wynn |
| Valentine | Wheat | Yates |

NAYS—153

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

NOT VOTING—30

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

So the Journal was approved.

93.6 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were 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.

¶93.7 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 insisted, 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," requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed 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 agreed 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."

¶93.8 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 373 AND H.R. 4590

Mr. BONIOR, by direction of the Committee on Rules, called up the following resolution (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.

When said resolution was considered. After debate,

On motion of Mr. BONIOR, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶93.9 MFN FOR CHINA

Mr. GIBBONS, pursuant to House Resolution 509, called 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.

When said joint resolution was considered and read twice.

After debate,

Pursuant to House Resolution 509 and sections 152 and 153 of the Trade Act of 1974, the previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*, Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, announced that the yeas had it.

Mr. SOLOMON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 75
Nays 356

¶93.10 [Roll No. 381] YEAS—75

Abercrombie	Gilman	Quillen
Andrews (ME)	Gutierrez	Ridge
Applegate	Hall (OH)	Rogers
Baker (CA)	Hamburg	Rohrabacher
Barton	Hefley	Ros-Lehtinen
Beilenson	Hefner	Rose
Bentley	Hilliard	Sanders
Bonior	Horn	Schiff
Brown (OH)	Hunter	Schroeder
Bunning	Inglis	Sensenbrenner
Burton	Kaptur	Smith (NJ)
Collins (GA)	Kasich	Smith (TX)
Collins (IL)	Klink	Snowe
Collins (MI)	Lancaster	Solomon
Cox	Lantos	Spratt
Dellums	Lewis (FL)	Stark
Diaz-Balart	Lewis (GA)	Tauzin
Dickey	Lewis (KY)	Taylor (MS)
Duncan	Markey	Trafigant
Durbin	McKinney	Upton
Evans	Miller (CA)	Walker
Everett	Molinari	Waters
Fields (LA)	Nadler	Watt
Fish	Pallone	Weldon
Frank (MA)	Pelosi	Wolf

NAYS—356

Ackerman	Clay	Ford (MI)
Allard	Clayton	Ford (TN)
Andrews (NJ)	Clement	Fowler
Andrews (TX)	Clinger	Franks (CT)
Archer	Coble	Franks (NJ)
Armey	Coleman	Frost
Bacchus (FL)	Combest	Furse
Bacchus (AL)	Condit	Galleghy
Baesler	Conyers	Gallo
Baker (LA)	Cooper	Gejdenson
Ballenger	Coppersmith	Gekas
Barca	Costello	Gephardt
Barcia	Coyne	Geren
Barlow	Cramer	Gibbons
Barrett (NE)	Crane	Gilchrest
Barrett (WI)	Crapo	Gillmor
Bartlett	Cunningham	Gingrich
Bateman	Danner	Glickman
Becerra	Darden	Gonzalez
Bereuter	de la Garza	Goodlatte
Berman	Deal	Goodling
Bevill	DeFazio	Gordon
Bilbray	DeLauro	Goss
Bilirakis	DeLay	Grams
Bishop	Derrick	Grandy
Blackwell	Deutsch	Green
Bliley	Dicks	Greenwood
Blute	Dingell	Gunderson
Boehlert	Dixon	Hall (TX)
Boehner	Dooley	Hamilton
Bonilla	Doolittle	Hancock
Borski	Dornan	Hansen
Boucher	Dreier	Harman
Brewster	Dunn	Hastert
Brooks	Edwards (CA)	Hastings
Browder	Edwards (TX)	Hayes
Brown (CA)	Ehlers	Heger
Brown (FL)	Emerson	Hinchey
Bryant	Engel	Hoagland
Buyer	English	Hobson
Byrne	Eshoo	Hochbrueckner
Callahan	Ewing	Hoekstra
Calvert	Farr	Hoke
Camp	Fawell	Holden
Canady	Fazio	Houghton
Cantwell	Fields (TX)	Hoyer
Cardin	Filner	Huffington
Carr	Fingerhut	Hughes
Castle	Flake	Hutchinson
Chapman	Foglietta	Hutto

Hyde	Meek	Sawyer
Inhofe	Menendez	Saxton
Inslee	Meyers	Schaefer
Istook	Mfume	Schek
Jacobs	Mica	Schumer
Jefferson	Michel	Scott
Johnson (CT)	Miller (FL)	Serrano
Johnson (GA)	Mineta	Sharp
Johnson (SD)	Minge	Shaw
Johnson, E. B.	Mink	Shays
Johnson, Sam	Moakley	Shepherd
Johnston	Mollohan	Shuster
Kanjorski	Montgomery	Sisisky
Kennedy	Moorhead	Skaggs
Kennelly	Moran	Skeen
Kildee	Morella	Skelton
Kim	Murphy	Slattery
King	Murtha	Slaughter
Kingston	Myers	Smith (IA)
Klecicka	Neal (MA)	Smith (MI)
Klein	Neal (NC)	Smith (OR)
Klug	Nussle	Spence
Knollenberg	Oberstar	Stearns
Kolbe	Obey	Stenholm
Kopetski	Olver	Stokes
Kreidler	Ortiz	Strickland
Kyl	Orton	Studds
LaFalce	Owens	Stump
Lambert	Oxley	Stupak
LaRocco	Packard	Sundquist
Laughlin	Parker	Sweet
Lazio	Pastor	Swift
Leach	Paxon	Synar
Lehman	Payne (NJ)	Talent
Levin	Payne (VA)	Tanner
Levy	Penny	Taylor (NC)
Lewis (CA)	Peterson (FL)	Tejeda
Lightfoot	Peterson (MN)	Thomas (CA)
Linder	Petri	Thomas (WY)
Lipinski	Pickett	Thompson
Livingston	Pickle	Thornton
Lloyd	Pombo	Thurman
Long	Pomeroy	Torkildsen
Lowe	Porter	Torres
Lucas	Portman	Torricelli
Machtley	Poshard	Towns
Maloney	Price (NC)	Tucker
Mann	Pryce (OH)	Unsoeld
Manton	Quinn	Valentine
Manzullo	Rahall	Velazquez
Margolies-	Ramstad	Vento
Mezvinsky	Rangel	Visclosky
Martinez	Reed	Volkmer
Matsui	Regula	Vucanovich
Mazzoli	Reynolds	Walsh
McCandless	Richardson	Waxman
McCloskey	Roberts	Wheat
McCollum	Roemer	Whitten
McCrery	Rostenkowski	Williams
McCurdy	Roth	Wilson
McDade	Roukema	Wise
McDermott	Rowland	Woolsey
McHale	Roybal-Allard	Wyden
McHugh	Royce	Wynn
McInnis	Rush	Yates
McKeon	Sabo	Young (AK)
McMillan	Sangmeister	Young (FL)
McNulty	Santorum	Zeliff
Meehan	Sarpaluis	Zimmer

NOT VOTING—3

Clyburn	Ravenel	Warrington
---------	---------	------------

So the joint resolution was not passed.

93.11 MFN FOR CHINA

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, pursuant to House Resolution 509 and rule XXIII, declared the House resolved 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.

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, by unanimous consent, designated Mr. SHARP as Chairman of the Committee of the Whole; and after some time spent therein,

93.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted 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 appro-

priate 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."

It was decided in the affirmative { Yeas 280 Nays 152

- 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, Gilchrist, 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., Johnston, 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), Hall (TX), 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, Siskisky, 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, Vislosky, Volkmer, Vucanovich, Walsh, Wheat, Whitten, Williams, Wilson, Wise, Wyden, Young (AK), Zeliff, Zimmer

¶93.13

[Roll No. 382]

AYES—280

- Ackerman, Allard, Andrews (NJ), Andrews (TX), Archer, Army, Bacchus (FL), Bachus (AL), Baesler, Baker (LA), Ballenger, Barca, Barcia, Barlow, Barrett (NE), Bartlett, Bateman, Becerra, Bereuter, Bevill, Bilirakis, Bishop, Blackwell, Bliley, 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

NOES—152

Dellums	Kaptur	Ros-Lehtinen
Diaz-Balart	Kasich	Rose
Dickey	Kennedy	Sanders
Dixon	Kildee	Schiff
Duncan	Klink	Schroeder
Durbin	Klug	Scott
Edwards (CA)	Lancaster	Sensenbrenner
Engel	Lantos	Sharp
Eshoo	Lewis (FL)	Shepherd
Evans	Lewis (GA)	Smith (NJ)
Everett	Lewis (KY)	Smith (TX)
Farr	Lipinski	Snowe
Fields (LA)	Lowey	Solomon
Fish	Margolies-	Spratt
Ford (MI)	Mezvinsky	Stark
Ford (TN)	Markey	Stearns
Frank (MA)	Mazzoli	Stokes
Gejdenson	McCloskey	Strickland
Gephardt	McDermott	Studds
Gilman	McHale	Stupak
Gonzalez	McKinney	Swett
Goodling	Meehan	Tauzin
Green	Mfume	Taylor (MS)
Gunderson	Miller (CA)	Torricelli
Gutierrez	Mink	Towns
Hall (OH)	Moakley	Traficant
Hamburg	Molinari	Underwood (GU)
Hayes	Nadler	Unsoeld
Hefley	Norton (DC)	Upton
Hefner	Obey	Velazquez
Hilliard	Olver	Vento
Hinches	Owens	Walker
Hobson	Pallone	Washington
Hochbrueckner	Payne (NJ)	Waters
Holden	Pelosi	Watt
Horn	Porter	Waxman
Hoyer	Poshard	Weldon
Hunter	Rahall	Wolf
Hutchinson	Richardson	Woolsey
Hutto	Ridge	Wynn
Hyde	Rogers	Yates
Inglis	Rohrabacher	Young (FL)

NOT VOTING—8

Bentley	Heger	Romero-Barcelo
Clyburn	Mollohan	(PR)
Gallo	Ravenel	Roukema

So the amendment in the nature of a substitute was agreed to.

After some further time,

93.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of substitute submitted 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 non-

qualified goods that are produced, manufactured, or exported by state-owned enterprises of the People's Republic of China.

SEC. 3. LIMITATIONS ON EXTENSION OF NON-DISCRIMINATORY 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 “non-qualified 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.

It was decided in the

Yeas	158
negative	270

¶93.15 [Roll No. 383] AYES—158

Abercrombie	Gonzalez	Olver
Andrews (ME)	Goodling	Owens
Applegate	Green	Pallone
Baker (CA)	Gunderson	Payne (NJ)
Barrett (WI)	Gutierrez	Pelosi
Barton	Hall (OH)	Porter
Beilenson	Hamburg	Poshard
Berman	Hefley	Rahall
Bilbray	Hefner	Rangel
Bilirakis	Hilliard	Richardson
Blackwell	Hinchey	Rogers
Boehlert	Hobson	Rohrabacher
Bonior	Hochbrueckner	Ros-Lehtinen
Borski	Holden	Rose
Browder	Horn	Sanders
Brown (OH)	Hoyer	Schiff
Bunning	Hunter	Schroeder
Burton	Hutchinson	Scott
Byrne	Hutto	Sensenbrenner
Cardin	Hyde	Sharp
Clay	Inglis	Shepherd
Clayton	Kaptur	Smith (NJ)
Collins (CA)	Kasich	Smith (TX)
Collins (IL)	Kennedy	Snowe
Collins (MI)	Kildee	Solomon
Conyers	King	Spence
Costello	Klink	Spratt
Cox	Klug	Stearns
Coyne	Lancaster	Stokes
de Lugo (VI)	Lantos	Strickland
DeFazio	Levin	Studds
Dellums	Lewis (GA)	Stupak
Diaz-Balart	Lewis (KY)	Swett
Dickey	Lipinski	Taylor (MS)
Dixon	Lowe	Taylor (NC)
Dornan	Margolies-	Torricelli
Duncan	Mezvinsky	Towns
Durbin	Markey	Trafficant
Edwards (CA)	Mazzoli	Underwood (GU)
Engel	McCloskey	Unsoeld
Eshoo	McHale	Upton
Evans	McKinney	Velazquez
Everett	Meehan	Vento
Farr	Menendez	Washington
Fields (LA)	Mfume	Waters
Fish	Miller (CA)	Watt
Foglietta	Mink	Waxman
Ford (MI)	Moakley	Weldon
Ford (TN)	Molinari	Wolf
Frank (MA)	Nadler	Woolsey
Gejdenson	Neal (MA)	Wynn
Gephardt	Norton (DC)	Yates
Gilman	Obey	Young (FL)

NOES—270

Ackerman	Ballenger	Bishop
Allard	Barca	Billey
Andrews (NJ)	Barcia	Blute
Andrews (TX)	Barlow	Boehner
Archer	Barrett (NE)	Bonilla
Army	Bartlett	Boucher
Bacchus (FL)	Bateman	Brewster
Bachus (AL)	Becerra	Brooks
Baessler	Bereuter	Brown (CA)
Baker (LA)	Bevill	Brown (FL)

Bryant	Inhofe	Penny
Buyer	Inslee	Peterson (FL)
Callahan	Istook	Peterson (MN)
Calvert	Jacobs	Petri
Camp	Jefferson	Pickett
Canady	Johnson (CT)	Pickle
Cantwell	Johnson (GA)	Pombo
Carr	Johnson (SD)	Pomeroy
Castle	Johnson, E. B.	Portman
Chapman	Johnson, Sam	Price (NC)
Clement	Johnston	Pryce (OH)
Clinger	Kanjorski	Quillen
Coble	Kennelly	Quinn
Coleman	Kim	Ramstad
Combest	Kingston	Reed
Condit	Klecza	Regula
Cooper	Klein	Reynolds
Coppersmith	Knollenberg	Ridge
Cramer	Kolbe	Roberts
Crane	Kopetski	Roemer
Crapo	Kreidler	Rostenkowski
Cunningham	Kyl	Roth
Danner	LaFalce	Rowland
Darden	Lambert	Roybal-Allard
de la Garza	LaRocco	Royce
Deal	Laughlin	Rush
DeLauro	Lazio	Sabo
DeLay	Leach	Sangmeister
Derrick	Lehman	Santorum
Deutsch	Levy	Sarpaluis
Dicks	Lewis (CA)	Sawyer
Dingell	Lewis (FL)	Saxton
Dooley	Lightfoot	Schaefer
Doolittle	Linder	Schenk
Dreier	Livingston	Schumer
Dunn	Lloyd	Serrano
Edwards (TX)	Long	Shaw
Ehlers	Lucas	Shays
Emerson	Machtley	Shuster
English	Maloney	Sisisky
Ewing	Mann	Skaggs
Faleomavaega	Manton	Skeen
(AS)	Manzullo	Skelton
Fawell	Martinez	Slattery
Fazio	Matsui	Slaughter
Fields (TX)	McCandless	Smith (IA)
Filner	McCrary	Smith (MI)
Fingerhut	McCurdy	Smith (OR)
Flake	McDade	Stenholm
Fowler	McDermott	Stump
Franks (CT)	McHugh	Sundquist
Frost	McInnis	Swift
Furse	McKeon	Synar
Galleghy	McMillan	Talent
Gekas	McNulty	Tanner
Geren	Meeke	Tauzin
Gibbons	Meyers	Tejeda
Gilchrest	Mica	Thomas (CA)
Gillmor	Michel	Thomas (WY)
Gingrich	Miller (FL)	Thompson
Glickman	Mineta	Thornton
Goodlatte	Minge	Thurman
Gordon	Mollohan	Torkildsen
Goss	Montgomery	Torres
Grams	Moorhead	Tucker
Grandy	Moran	Valentine
Greenwood	Morella	Viscosky
Hall (TX)	Murphy	Volkmer
Hamilton	Murtha	Vucanovich
Hancock	Myers	Walker
Hansen	Neal (NC)	Walsh
Harman	Nussle	Wheat
Hastert	Oberstar	Williams
Hastings	Ortiz	Wilson
Hayes	Orton	Wise
Hoagland	Oxley	Wyden
Hoekstra	Packard	Young (AK)
Hoke	Parker	Zeliff
Houghton	Pastor	Zimmer
Huffington	Paxon	
Hughes	Payne (VA)	

NOT VOTING—11

Bentley	McCollum	Stark
Clyburn	Ravenel	Whitten
Franks (NJ)	Romero-Barcelo	
Gallo	(PR)	
Herger	Roukema	

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. SKAGGS, assumed the Chair.

When Mr. SHARP, Chairman, pursuant to House Resolution 509, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

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 appro-

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 bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SKAGGS, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶93.16 SUBPOENA

The SPEAKER pro tempore, Mr. SKAGGS, laid before the House a communication, which was read as follows:

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.

¶93.17 PROVIDING FOR THE CONSIDERATION OF H.R. 4907

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-689) the resolution (H. Res. 512) providing for the consideration of the bill (H.R. 4907) to reform the concept of baseline budgeting.

When said resolution and report were referred to the House Calendar and ordered printed.

¶93.18 PROVIDING FOR THE CONSIDERATION OF H.R. 4906

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-690) the resolution (H. Res. 513) providing for the 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.

When said resolution and report were referred to the House Calendar and ordered printed.

¶93.19 PROVIDING FOR THE CONSIDERATION OF H.R. 4822

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-691) the resolution (H. Res. 514) providing for the consideration of the bill (H.R. 4822) to make certain laws applicable to the legislative branch of the Federal Government.

When said resolution and report were referred to the House Calendar and ordered printed.

¶93.20 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".

And then,

93.21 ADJOURNMENT

On motion of Mr. UNDERWOOD, at 11 o'clock and 32 minutes p.m., the House adjourned.

93.22 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. No. 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. No. 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. No. 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. No. 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. No. 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. No. 103-691). Referred to the House Calendar.

93.23 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.

93.24 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. BEILENSEN):

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 ac-

tivities 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 for 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.

93.25 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 127: Mr. REYNOLDS, Mr. LAROCO, 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. BEILENSEN, 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. FALCOMA, 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. LAROCO, 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. 146: Mr. PALLONE.

H. Con. Res. 168: 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. ROURKEMA, 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.

WEDNESDAY, AUGUST 10, 1994 (94)

The House was called to order by the SPEAKER.

¶94.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, August 9, 1994.

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

¶94.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3665. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Italy for defense articles and services (Transmittal No. 94-34), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3666. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Thailand for defense articles and services (Transmittal No. 94-50), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3667. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Japan for defense articles and services (Transmittal No. 94-38), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3668. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Italy for defense articles and services (Transmittal No. 94-35), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3669. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Japan for defense articles and services (Transmittal No. 94-37), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3670. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Japan for defense articles and services (Transmittal No. 94-39), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3671. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Japan for defense articles and services (Transmittal No. 94-40), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3672. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Japan for defense articles and services (Transmittal No. 94-41), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3673. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LAO] to the United Kingdom for defense articles and services (Transmittal No. 94-42), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3674. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to the Netherlands for defense articles and services (Transmittal No. 94-45), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

¶94.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agreed 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. 3474) "An Act to reduce administrative requirements for insured depository institutions to the extent consistent with safe and sound banking practices, to facilitate the establishment of community development financial institutions, and for other purposes."

¶94.4 COMMERCE, JUSTICE, STATE, JUDICIARY APPROPRIATIONS

On motion of Mr. MOLLOHAN, by unanimous consent, the bill (H.R. 4603) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for the departments and agencies for fiscal year ending September 30, 1994, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. MOLLOHAN, it was,

Resolved, That the House disagree to the amendments of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶94.5 MOTION TO INSTRUCT CONFEREES—H.R. 4603

Mr. ROGERS moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 4603, be instructed to agree to the Senate amendments numbered 125 and 127.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*, Will the House agree to said motion?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that the nays had it.

Mr. ROGERS objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 177
 Nays 250

¶94.6 [Roll No. 384] YEAS—177

Allard	Goodling	Moorhead
Archer	Goss	Myers
Armey	Grams	Nussle
Bachus (AL)	Grandy	Oxley
Baker (CA)	Green	Packard
Baker (LA)	Greenwood	Paxon
Ballenger	Gunderson	Petri
Barrett (NE)	Hall (TX)	Pombo
Bartlett	Hancock	Portman
Barton	Hansen	Poshard
Bateman	Hastert	Pryce (OH)
Bentley	Hayes	Quillen
Bilirakis	Hefley	Quinn
Bliley	Hobson	Ramstad
Blute	Hoekstra	Regula
Boehner	Hoke	Ridge
Bonilla	Horn	Roberts
Bunning	Huffington	Rogers
Burton	Hunter	Rohrabacher
Buyer	Hutchinson	Ros-Lehtinen
Callahan	Hyde	Roth
Calvert	Inglis	Royce
Camp	Inhofe	Santorum
Canady	Istook	Saxton
Castle	Jacobs	Schaefer
Clinger	Johnson, Sam	Schiff
Coble	Kasich	Sensenbrenner
Collins (GA)	Kim	Shaw
Combest	King	Shays
Condit	Kingston	Shuster
Cooper	Klug	Skeen
Costello	Knollenberg	Smith (MI)
Cox	Kolbe	Smith (NJ)
Crane	Kyl	Smith (OR)
Crapo	Lazio	Smith (TX)
Cunningham	Levy	Snowe
DeLay	Lewis (CA)	Solomon
Diaz-Balart	Lewis (FL)	Spence
Dickey	Lewis (KY)	Stearns
Doolittle	Lightfoot	Stump
Dreier	Linder	Sundquist
Duncan	Livingston	Talent
Dunn	Lucas	Tauzin
Ehlers	Machtley	Taylor (MS)
Emerson	Manzullo	Taylor (NC)
Everett	Mazzoli	Thomas (CA)
Ewing	McCandless	Thomas (WY)
Fawell	McCollum	Torricelli
Fields (TX)	McCrery	Traficant
Fowler	McDade	Upton
Franks (CT)	McHugh	Vucanovich
Franks (NJ)	McInnis	Walker
Galleghy	McKeon	Walsh
Gallo	McNulty	Weldon
Gekas	Meyers	Wolf
Gilchrest	Mica	Young (AK)
Gillmor	Michel	Young (FL)
Gingrich	Miller (FL)	Zeliff
Goodlatte	Molinari	Zimmer

NAYS—250

Abercrombie	Brown (OH)	Dixon
Ackerman	Bryant	Dooley
Andrews (ME)	Byrne	Durbin
Andrews (NJ)	Cantwell	Edwards (CA)
Andrews (TX)	Cardin	Edwards (TX)
Applegate	Carr	Engel
Bacchus (FL)	Chapman	English
Baesler	Clay	Eshoo
Barca	Clayton	Evans
Barcia	Clement	Farr
Barlow	Clyburn	Fazio
Barrett (WI)	Coleman	Fields (LA)
Becerra	Collins (IL)	Filner
Beilenson	Collins (MI)	Fingerhut
Bereuter	Conyers	Fish
Berman	Coppersmith	Flake
Bevill	Coyne	Foglietta
Bilbray	Cramer	Ford (MI)
Bishop	Danner	Ford (TN)
Blackwell	Darden	Frank (MA)
Boehlert	de la Garza	Frost
Bonior	Deal	Furse
Borski	DeFazio	Gejdenson
Boucher	DeLauro	Gephardt
Brewster	Dellums	Geren
Brooks	Derrick	Gibbons
Browder	Deutsch	Gilman
Brown (CA)	Dicks	Glickman
Brown (FL)	Dingell	Gonzalez