United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, WEDNESDAY, SEPTEMBER 17, 1997 No. 124

Senate

The Senate met at 9:45 a.m., and was called to order by the Honorable RICK SANTORUM, a Senator from the State of Pennsylvania.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, our Creator, Sustainer, and loving heavenly Father, thank You for this moment of profound communication with You. We come to You just as we are—with our hurts and hopes, fears and frustrations, problems and perplexities. We also come to You with great memories of how You have helped us so faithfully when we trusted You in the past.

Now, in the peace of Your presence, we sense a fresh touch of Your Spirit. With a receptive mind and a heart wide open, we receive the inspiration and love You give so generously. Make us secure in Your grace and confident in Your goodness. We need Your power to carry out the responsibilities that are upon us this day.

Humbly, we now ask for divine inspiration in the decisions of this day. Because we are here to please You in all that we do. Our hope is that at the end of this day we will hear Your voice sounding in our souls, ''Well done, good and faithful servant.'' Through our Lord and Saviour. Amen.

APPOINTMENT OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 17, 1997.

To the Senate:

Under the provisions of rule 1, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICK SANTORUM, a Senator from the State of Pennsylvania, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. SANTORUM thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Chair, in his capacity as a Senator from the State of Pennsylvania, suggests the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. ROBERTS. Mr. President, today the Senate will resume consideration of H.R. 2107, the Interior appropriations bill. Senators who have any additional amendments to this legislation are encouraged to contact the managers and come to the floor this morning so that we can continue to make real progress on this bill.

At 10:45 this morning, the Senate will begin 15 minutes of debate on H.R. 2016, the military construction appropriations conference report. A vote will occur at approximately 11 o'clock on the MilCon conference report. Following disposition of that report, the Senate will resume consideration of the Interior appropriations bill with the intention of completing that measure today. Therefore, Senators should anticipate votes throughout today's session. As always, Members will be notified as these votes are ordered. I thank my colleagues for their attention and yield the floor.

Mr. BIDEN addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

ORDER OF PROCEDURE

Mr. BIDEN. Mr. President, I ask unanimous consent that I be able to proceed as if in morning business for up to 30 minutes.

The PRESIDING OFFICER (Mr. ROBERTS). Without objection, it is so ordered.

Mr. BIDEN. Mr. President, first of all, I have two statements I wish to make, but if any of my colleagues come in and wish to begin on the amendments, I will cease at that point and not ask for all 30 minutes.

Second, Mr. President, I apologize to you and others for my gravelly voice; I have a cold, and I understand sitting in the chair can be a task. It is hard enough sometimes to listen to me, and it is even harder sometimes when I am in this condition.

THE CHINA SUMMIT: WHAT KIND OF ENGAGEMENT?

Mr. BIDEN. Mr. President, at the end of October President Clinton will sit down with Chinese President Jiang Zemin to try to put the United States-China relationship on a sounder footing. After 8 years of tension in the relationship, it should go without saying that there is plenty of work to be done by both Presidents.

With over a billion people and a burgeoning economy undergoing a dramatic transformation from doctrinaire communism to market-driven capitalism, China undeniably is an emerging great power. How we deal with China will be one of the great foreign policy challenges of the next century.

The forthcoming meeting with President Jiang Zemin is one of a series of important opportunities to advance our relations that will occur over the next several months.

Today I want to outline some of the objectives that I think the United States should pursue during Jiang's visit, particularly in regard to one of the central issues in our relationship.

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The issues on the agenda are familiar. We have deep concerns about China's human rights record, its trade practices, and most important, from the perspective of international security, its lackluster record of adherence to nonproliferation agreements.

It is unrealistic to assume that we will resolve all our differences next month, next year, or even over the next several years.

I am convinced, however, that it is possible to build a mutually beneficial relationship with China. A rising China need not threaten United States interests. In fact, China cannot achieve the economic growth, international respect, and regional stability it seeks without a workable relationship with the United States and close, constructive, integration with global economic, political, and security regimes.

THE CONTAINMENT-VERSUS-ENGAGEMENT DEBATE

Just as China is engaged in a great internal debate about its future direction, the United States is undertaking a great debate about the future direction of its policy toward China. The choice is often framed, simplistically, as one between two mutually exclusive paths: containment or engagement.

But the relationship between these two great nations is far more complicated than that. It demands a more sophisticated strategy.

Containment—the central organizing principle of the West during the cold war—is not a realistic policy option for China. Economically, China is already a powerhouse, the third largest market in the world and our fastest growing export market. Unlike the former Soviet Union, China has a vibrant economy, enjoys normal relations with all of its neighbors, and is attracting vast amounts of foreign investment.

If we try to smother China by denying it access to our markets, the effect on China would be less severe than commonly expected. Exports to the United States represent only about 2 to 3 percent of China's gross domestic product, and the injury would be borne not only by China, but also by our many allies in the region. This is because 70 to 80 percent of the value of China's exports to the United States represent products originally imported by China from the United States and other countries and then processed for export.

Militarily, a containment strategy for China would be a terrible act of folly worthy of a Barbara Tuchman history volume. For the last 25 years our alliances with Japan, South Korea, Australia, Thailand, and the Philippines have helped to foster peace and stability in the Pacific—all without vilifying China. While it is essential that we adapt our regional alliances to post-cold war realities, we should not cast China as an adversary.

Our allies support the integration of China into the region's economic and political structure, including the Association of Southeast Asian Nations regional forum. None would support a policy of containment premised, as it would have to be, on the notion of an expansionist China bent on regional hegemony.

If containment fails to advance our interests, what about engagement? Engagement, a term frequently used to describe the Clinton administration's policy, is, by itself, virtually without substance. ''Engagement'' could run the gamut from normal diplomatic relations, to a zealous mercantilist approach that runs the risk of placing profits over principle. Or to paraphrase George Will in another context from years ago, he said, ''Some of my friends love capitalism more than they hate communism.''

Engagement is not a policy. It is a means to an end. It is the content of the engagement that matters.

We should not be passive in our relationship with China. We can influence what kind of great power China becomes.

Encouraging China's transition from a poor, isolated Communist state to a more prosperous, open, and democratic partner, however, will take more than a bland policy of engagement. It requires patience and purpose in the pursuit of clearly articulated U.S. interests.

U.S. INTERESTS

American interests in China are clear. We seek a free, prosperous, and secure China, at peace with its neighbors. We want China to respect international norms—particularly, nonproliferation, human rights, trade, and the environment.

THE SUMMIT'S MEASURE OF SUCCESS

Next month, Chinese President Jiang Zemin will visit Washington, the first such visit since the Tiananmen Square massacre. I am prepared to support this diplomatic step, provided that it yields meaningful progress on issues of concern to us.

Early reports about China's priorities at this summit call into question whether such progress can be achieved. According to press reports, China is obsessed with ensuring that President Jiang receives the red carpet treatment, similar to the celebrated visit of Deng Xiao-Ping in 1979.

Let me state it plainly: this visit must be about more than ceremony.

In the area of international security, we should not hesitate to criticize China for conduct which calls into question Beijing's commitment to nonproliferation and invites U.S. sanctions.

However, we should also be prepared to lay out plainly the benefits that might accrue to China if it takes decisive steps to join with the United States to halt the spread of weapons of mass destruction.

NONPROLIFERATION CONCERNS

As my colleagues know, I have for several years been critical, along with Senator HELMS, of China's behavior in the area of nonproliferation. Their consistent flouting of international norms warrant skepticism that China is willing to engage us honestly on our proliferation concerns.

Nonetheless, I agree with this objective: we must strive to transform nonproliferation from an issue that has become emblematic of the difficulties in Sino-United States relations to an example of cooperation and trust.

Toward that end, China deserves some credit for development of its official policy on nonproliferation. For example, since 1992, Beijing has promised to abide by the Missile Technology Control Regime, acceded to the Nuclear Nonproliferation Treaty [NPT], signed and ratified the Chemical Weapons Convention, developed regulations governing exports limited by the Chemical Weapons Convention, and issued its first public defense white paper, which focused on arms control and disarmament.

On May 11, 1996, following what the Chinese maintain was an unauthorized sale of ring magnets used in uranium enrichment to Pakistan in violation of China's Nonproliferation Treaty [NPT] commitments and United States law, China pledged not to provide assistance to any nuclear facilities not under International Atomic Energy Agency safeguards.

Last year, China began a moratorium on nuclear testing and signed the Comprehensive Test Ban Treaty. Finally, just last month China promulgated a list of controlled nuclear technologies which are prohibited from export.

Perhaps even more significantly, in recent months we have observed for the first time a Chinese willingness to forego exports of nuclear technology to Iran in response to United States concerns.

Hopefully, this is the dawning on the part of the Chinese of not only a recognition of the commitments they made, but what their self-interest is. It is not in their self-interest, in my humble opinion—although I never tell another man or woman their politics or lecture another country about what is their interest—but on the surface it clearly is not in their interest to continue to engage in the activities they have engaged in during the decades of the 1980's and the 1990's. So I am not making any prophecy about what this portends, I am just stating a fact, that there has been a change—not sufficient change, but a change. Again, hopefully, it is a recognition of their self-interest in addition to their international obligations.

The China Nuclear Energy Industry Corporation reportedly has canceled an agreement to sell Iran a facility to convert uranium ore into uranium hexaflouride gas, which could be enriched to weapons-grade material. I hope that is correct. China has also suspended an agreement to sell nuclear reactors to Iran. Again, if true, if they keep on that path, that is a very positive change.

I hope that these developments are evidence that Chinese leaders now fully

accept that China's own national security would be threatened by the proliferation of weapons of mass destruction and the means to deliver them. I also hope that China understands that great powers go beyond their minimum treaty obligations in the interest of peace and security. If they wish to be a great power, they will be required to do the same.

China wants to be accepted as a great power. I welcome that desire and understand it. A great power bears an obligation not to sell dual-use equipment to a country that is known to have a program to develop long-range missiles. A great power bears an obligation not to sell chemical weapons precursors or technology to firms or institutes that are fronts for military programs. A great power agrees to work with other countries to ensure that the burdens of nonproliferation are shared equitably. China must step up to that obligation.

CHINA'S NEXT STEPS

There are several steps China could take to shoulder their share of the nonproliferation burden and to increase the world's confidence in their stance on nuclear nonproliferation. Specifically, in my humble opinion, China should do the following: Expand its pledge not to assist unsafeguarded facilities to include unsafeguarded programs; clarify its recent commitment not to assist Iran's nuclear program and put it in writing; make its nuclear export control list available to Chinese and foreign firms and expand controls to include dual-use nuclear technology; establish a comprehensive export controls enforcement mechanism, and demonstrate its effectiveness through the arrest and prosecution of violators within China; stop all contact between Chinese nuclear engineers and those Pakistani experts with ties to Pakistan's nuclear weapons program; and last, I believe China should agree to join multilateral bodies committed to nuclear nonproliferation, including the Zanger Committee.

If China took these steps, we would be well on our way to transforming nuclear nonproliferation from a sore point in Sino-United States relations to a genuine success story.

ACTIVATING THE NUCLEAR COOPERATION AGREEMENT

United States concerns about Chinese proliferation are not restricted to nuclear technology. China's export of chemicals and equipment destined for Iran's chemical weapons factories and its sale of cruise and ballistic missile technology to Iran, Pakistan, and other countries remain of serious concern to the United States and must be addressed.

But progress in the area of nuclear nonproliferation could serve as an example for these other areas of our bilateral relationships. Moreover, there are benefits that could flow to both the United States and China once we became convinced by China's actions of the sincerity of its commitment to halt the spread of weapons of mass destruction.

For example, if recent progress in the area of nuclear nonproliferation continues, the President could choose to implement the 1985 Peaceful Nuclear Cooperation Agreement with China. That early agreement permits the export of United States nuclear energy technology to China. We have suspended it because of our doubts about China's intentions. If China continued on the path that they have begun of late, the President, or the next President, could in fact reengage that agreement.

The Peaceful Nuclear Cooperation Agreement was suspended in 1986 in response to Congressional concerns about Chinese assistance to Pakistan's nuclear weapons program. I was one of those expressing concern at that time. I think we made the right decision.

For the past decade, China's nonproliferation track record has effectively, in my view, precluded resumption of nuclear cooperation with the United States. I have been one of the people on this floor calling for the rare secret sessions that we occasionally have here to discuss China's activities over the last decade in this area.

During the intervening years, China has pursued a ''Noah's Ark'' approach to nuclear energy, purchasing two Russian reactors, two French reactors, and two Canadian reactors. Now they are close to reaching a decision on a standard configuration for their nuclear industry, and they would like to purchase two American reactors. The Chinese rightly believe that United States reactors are the safest, most efficient, and reliable on the planet—which they are.

For the United States, reactivation of the nuclear cooperation agreement could mean billions of dollars' worth of exports to help balance our trade with China, additional high-paying jobs for Americans, and a beneficial change in the relationship. There would also be an environmental benefit: reducing China's consumption of high-sulfur coal, which fouls the air over China's cities and contributes to global warming.

So, there could be a great benefit. But China must first, must first demonstrate to us that their recent adumbrations with regard to nuclear nonproliferation, are real, and that is why I was presumptuous enough to suggest the things that I think China could and should do, and should be discussed in the impending visit.

The world system has never been adept at accommodating the aspirations of rising powers.

As a student of history, and although it has been 100 years since I was in undergraduate school, my love and my avocation still, as a student of history—I know, and you know and all our colleagues know, that the world has never been adept at accommodating the aspirations of rising powers. To deny that China is a rising power is to deny reality. China's rise is not likely to be an exception in the way in which the world responds.

Increasingly, China not only wants a seat at the table, it expects its interests to be taken seriously and balks at being held accountable to rules it had no role in shaping when the great powers shaped them, before they had a seat at the table.

China is an ancient country with a rich history and a proud list of cultural and technological accomplishments which will forever distinguish it from our western, Judeo-Christian traditions. In light of this, one can understand why they might feel that it could be unreasonable for us to try to mold them in our image. But we do China no favors by failing to communicate our concerns, or by jettisoning our principles or our strategic interests in pursuit of an ill-defined policy of engagement. To suggest that international norms that all the world are willing to accept, or should be willing to accept, are an imposition of our system on China, is in fact, I think, an incorrect way of looking at it.

We are not trying to make China in our own image. But there are certain basic international norms to which they must conform.

We are not being unreasonable when we expect China to accept international norms of behavior in the area of nonproliferation, human rights, and trade. We are not being unreasonable when we expect China to adhere to the terms of its international agreements—period.

Since the introduction of Deng Xiaoping's reforms 20 years ago, China has opened to the world, seeking even greater integration into global trade and security regimes. And during that process, as an observer, it seems to me, like all change, like all transitions, they have begun to learn. They have begun to learn where their interests lie. My hope is their learning curve continues.

Some China watchers discount this trend as mere tactics. I believe that these China watchers are mistaken. Only in a Chinese historical context of dynasties and centuries could the consistent policy of two decades be dismissed as tactics. China's opening is the single greatest force for economic modernization and political reform that the Middle Kingdom has ever known. We should reinforce this strategic opening.

How ironic and tragic it would be if we attempted to contain China just at the moment in history when China becomes convinced that it no longer needed a great wall to protect it from the barbarian hordes and foreign influences.

Rather than throwing up the ramparts, we should be seeking to expand the areas of cooperation. China must do its part by adhering to international norms of behavior and following through on its commitments, and we must do our part standing ready to

welcome China as it strives to become a truly great power. Our interests with China are too vital—the consequences of failing to build a constructive relationship with China too profound—to do otherwise.

Mr. President, how much time do I have left in my request?

The PRESIDING OFFICER. The Senator has 8 minutes 4 seconds.

THE BOSNIAN ELECTIONS

Mr. BIDEN. Mr. President, I would like now to speak very briefly, 8 minutes, to the issue of Bosnia. Last weekend, the people of Bosnia-Herzegovina went to the polls to elect their various municipal governments. I know the President has recently been to Bosnia, as I have. These local elections had been postponed from last year because of tampering with registration, chiefly by the Bosnian Serbs.

But I am happy to report, and we have all observed, that this year's municipal elections were a success. Despite dire threats of violence against refugees and displaced persons who wanted to cross over to their former homes to vote, over 2 days, not one single incident of violence occurred in the entire country.

Why? For a simple reason, I believe, Mr. President. Because of the presence of SFOR, the NATO-sponsored troops on the ground led by recently reinforced American troops. SFOR made clear to all parties that violence would not be tolerated and force would be met with force.

Every single time over the past several years when the West has been forceful in its behavior, the ultranationalists in Bosnia, primarily the Serbs but all ultranationalists, have backed down—every single time.

The elections were carried out by the Organization for Security and Cooperation in Europe, the so-called OSCE, in which the United States is an active member, but only one of many. The OSCE observers deserve a great deal of credit for their successful labors.

The results of the election will not be known for another couple of days. Already, however, some encouraging signs are emerging. In Tuzla, a place I have visited on more than one occasion, the Muslim Party for Democratic Action, the SDA, conceded defeat by Mayor Selim Beslagic, who represented not just the Muslim party but the multiethnic joint group that was running.

I met the mayor last month. I met with him last month in Bosnia in Sarajevo. When I met with him, he indicated that he represents not just Muslims, but he represents this multiethnic slate and he represents just the kind, in my view, of democratic, tolerant, pragmatic politician that is going to be needed to rebuild Bosnia. But the point is, the controlling party in the area lost. The election was free.

Until now, three ethnically based parties that profess to represent the interests of the Muslims, Serbs, and Croats have been dominating the airwaves and the patronage system. Tuzla, and perhaps other cities in both the federation and the Republika Srpska, show that if SFOR and the international community guarantee equal access, the monopoly of these parties on power can be broken.

Moreover, Mr. President, I would argue it represents what I believe to be the majority view of Bosnian Serbs, Bosnian Croats and Bosnian Muslims, who, I might add, lived together in peace for decades and decades prior to this and the majority of whom wish to do that again. But it shows that the monopoly of the parties that are representing purely the xenophobic notions of their particular interests are not necessarily the views of the people of Bosnia.

Moreover, it is likely that, thanks to the absentee voting and the protection offered by SFOR for returning refugees, the election may reverse the vile ethnic cleansing of the war. For example, in the town of Drvar in western Herzegovina, it was 97 percent Serb until the town's inhabitants were driven out in the fall of 1995 by Croats. Last weekend, the Croats who displaced the Serbs did their best to harass returning Serb voters. International election officials from the OSCE, however, insisted the Serbs be allowed to vote, and it looks like there may be a turnaround in that community as well.

Several other towns, like Jajce and Srebrenica, site of the largest civilian massacre in Europe since World War II, may see their former inhabitants, in these two cases Muslims, forming the governments in those two cities.

The international community is now faced with the next—and this is an incremental thing, Mr. President—they are faced with the next stark question of whether now we will enforce the election results, whether we will now be part of that.

I realize that is a dicey deal, but I continue to argue that when we demonstrated force, and given the power of the people in those communities, we, the Western community, have prevailed.

So now the question is, will we enforce the results of the election by guaranteeing that the newly elected councils not remain governments in exile? Enforcing the election results, of course, means that the right of refugees and displaced persons to return must be honored, which Dayton calls for. In most cases, that would be able to be accomplished only by the international community being present and the presence of SFOR.

Mr. President, I believe we have no choice in this matter. Both for moral and practical reasons, it seems to me we must move rapidly to enforce the resettlement of refugees as the results of the election will dictate. This will be a difficult task, and the time is short before the onset of the Balkan winter. Most likely we will have to begin with highly visible demonstration returns in one or two selected towns. But, Mr. President, we must keep the democratic momentum going.

Rebuilding shattered Bosnia is an immense undertaking, and now, for the first time in years, there has been a string of successes. The United States has been the prime mover in these, although not the prime player in terms of numbers. We must continue to exert our leadership on the European Community, and we must continue the valuable and honorable work we have undertaken, for, Mr. President, to do otherwise, I will predict, the result will be disastrous for Europe, disastrous for our interests.

I will end with a rhetorical question. How can we expect stability in Europe if the ethnic cleansing is able to be justified, and partitioning takes place? How do we then explain that to the other parts of the former Soviet Union who have equally deep divisions that exist? Mr. President, there are 5 million ethnic Russians in the Ukraine. There are 5 million of them. There are millions of people who have ethnic differences living throughout that area. How do we deal with Rumania and Hungary? If we say that this vile ethnic cleansing will be rewarded by us backing out and letting it return to the status quo, you know European leadership will not step up to the ball. Again, I want to make it clear, we play the smallest part relative to the rest of the world in this, in the sense that we are only a small portion of the overall effort, but the overall effort is occurring because of our leadership.

So, Mr. President, I acknowledge that this is a dicey deal. I acknowledge that it is going to be difficult, but I would suggest that those who have a different view from me acknowledge that there have been recent successes that at least lend hope to the possibility that we can continue down this path.

I thank the Chair, and I thank my colleague. I yield the floor.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under the previous order, the Senate now resumes consideration of H.R. 2107, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2107) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998.

The Senate resumed consideration of the bill.

Pending:

Ashcroft amendment No. 1188 (to committee amendment beginning on page 96, line 12, through page 97, line 8) to eliminate funding for programs and activities carried out by the National Endowment for the Arts.

Hutchinson amendment No. 1196, to authorize the President to implement the recently announced American Heritage Rivers