S. 562

At the request of Mr. HARKIN, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of S. 562, a bill to provide for a comprehensive, coordinated effort to combat methamphetamine abuse, and for other purposes.

SENATE JOINT RESOLUTION 3

At the request of Mr. KYL, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of Senate Joint Resolution 3, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

SENATE CONCURRENT RESOLUTION 5

At the request of Mr. BROWNBACK, the names of the Senator from Arizona [Mr. KYL] and the Senator from Michigan [Mr. ABRAHAM] were added as cosponsors of Senate Concurrent Resolution 5, a concurrent resolution expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

SENATE RESOLUTION 26

At the request of Mr. MURKOWSKI, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of Senate Resolution 26, a resolution relating to Taiwan's Participation in the World Health Organization.

SENATE RESOLUTION 47

At the request of Mr. MURKOWSKI, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of Senate Resolution 47, a resolution designating the week of March 21 through March 27, 1999, as ''National Inhalants and Poisons Awareness Week.''

SENATE RESOLUTION 53

At the request of Mr. HUTCHINSON, the name of the Senator from Oregon [Mr. SMITH] was added as a cosponsor of Senate Resolution 53, a resolution to designate March 24, 1999, as ''National School Violence Victims' Memorial Day.''

## SENATE RESOLUTION 60—RECOGNIZING THE PLIGHT OF THE TIBETAN PEOPLE ON THE 40TH ANNIVERSARY OF TIBET'S ATTEMPT TO RESTORE ITS INDEPENDENCE

Mr. MACK (for himself, Mr. MOYNIHAN and Mr. LOTT) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 60

Whereas during the period 1949–1950, the newly established communist government of the People's Republic of China sent an army to invade Tibet;

Whereas the Tibetan army was ill equipped and out-numbered, and the People's Liberation Army overwhelmed Tibetan defenses;

Whereas, on May 23, 1951, a delegation sent from the capital city of Lhasa to Peking to negotiate with the Government of the People's Republic of China was forced under duress to accept a Chinese-drafted 17-point agreement that incorporated Tibet into China but promised to preserve Tibetan political, cultural, and religious institutions;

Whereas during the period of 1951–1959, the failure of the Government of the People's Republic of China to uphold guarantees to autonomy contained in the 17-Point Agreement and the imposition of socialist reforms resulted in widespread oppression and brutality;

Whereas on March 10, 1959 the people of Lhasa, fearing for the life of the Dalai Lama, surrounded his palace, organized a permanent guard, and called for the withdrawal of the Chinese from Tibet and the restoration of Tibet's independence;

Whereas on March 17, 1959 the Dalai Lama escaped in disguise during the night after two mortar shells exploded within the walls of his palace and, before crossing the Indian border into exile two weeks later, repudiated the 17-Point Agreement;

Whereas during the ''Lhasa Revolt'' begun on March 10, 1959, Chinese statistics estimate 87,000 Tibetans were killed, arrested, or deported to labor camps, and only a small percentage of the thousands who attempted to escape to India survived Chinese military attacks, malnutrition, cold, and disease;

Whereas for the past forty years, the Dalai Lama has worked in exile to find ways to allow Tibetans to determine the future status of Tibet and was awarded the Nobel Peace Prize for his efforts in 1989;

Whereas it is the policy of the United States to support substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives; and

Whereas the Dalai Lama has stated his willingness to negotiate within the framework enunciated by Deng Xiaoping in 1979: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) March 10, 1999 should be recognized as ''Tibetan National Day'' in solemn remembrance of those Tibetans who sacrificed, suffered, or died as a result of Chinese aggression against their country and of the inherent right of the Tibetan people to reject tyranny and to determine their own political future, including independence, if they so determine; and

(2) March 10 of each year should serve as an occasion to renew calls by the President, Congress, and other United States Government officials on the Government of the People's Republic of China to enter into serious negotiations with the Dalai Lama or his representatives until such a time as a peaceful solution, satisfactory to both sides, is achieved.

Mr. MACK. Mr. President, the Tibetan people are suffering today in the name of freedom, and I am pleased to rise with Senator MOYNIHAN to submit a resolution in solemn commemoration of this day, March 10, in Tibetan history.

It was on March 10, 1959 that the Tibetan people said, ''enough is enough.'' The city of Lhasa organized into what later became known as the ''Lhasa revolt'' on this day forty years ago, to protect their beloved leader, the 14th Dalai Lama, and to reject the impositions of Beijing. Let me provide some details.

The new communist government in Beijing sent an army to invade Tibet in 1949. The People's Liberation Army quickly overwhelmed Tibetan defenses. In 1951, a Tibetan delegation went to Beijing to negotiate a peace agreement. But negotiation is too kind of a word. The Tibetan delegation was forced to sign a PRC-written document known as the ''17 Point Agreement.'' Even though it was forced upon the Tibetan government, it promised to preserve Tibetan political, cultural, and religious institutions, and so was warily accepted by the Tibetan government.

Mr. President, going back to the early days of the PRC, we can see a pattern. The terms on paper protected the Tibetan way of life. But the promises proved empty. I suggest this is a lesson our President today would be wise to learn. Whether regarding Hong Kong, weapons proliferation, or trade, we must remember what Ronald Reagan taught us—''trust, but verify.'' This is especially true of our dealings with communists and authoritarian rulers.

In Tibet, nine years of trying to compromise with the communists, from 1951 to 1959, failed. In fact, the restrictions on Tibet increased progressively, as did the oppression and brutality of Beijing's rule.

March 10, 1959 stands out as an important day, not only in Tibet's history, but also in the history of humanity's struggle for freedom. On this day, the people of Lhasa organized a permanent guard around the Dalai Lama's palace, and demanded the withdrawal of the Chinese from Tibet and the restoration of Tibet's independence.

One week later, the Dalai Lama was forced to flee his home and his people while his palace was being shelled by the PLA. It is important to note that, in a great and triumphant official act, he repudiated the 17-Point agreement.

According to Chinese statistics, 87,000 Tibetans were killed, arrested, or deported to labor camps during this ''Lhasa Revolt.'' Countless tried to follow the Dalai Lama to India—unfortunately, only a very small percentage of the thousands who attempted to escape through the Himalayas to India survived. If they could successfully avoid the Chinese military—then they would succumb to malnutrition, cold, and disease.

Mr. President, we are today honoring the memory of the more than 87,000 Tibetans who paid with their lives for the preservation of Tibet. We also honor the 6 million Tibetans today who keep alive the hope of one-day returning home.

Mr. President, we believe in certain inalienable rights; it is part of our constitution. I believe that our freedom cannot be complete, and we as a nation cannot achieve our fullest greatness, so long as others suffer from the yoke of tyranny and oppression. Tibet today suffers from cultural genocide at the hands of the PRC. And yet, don't they also have inalienable rights: to reject tyranny? to determine their political future including independence? to chose freedom and reject oppression?

The answer, very clearly, must be a resounding ''yes.'' We have introduced

this resolution today, to register this ''yes.'' We do it for His Holiness, the Dalai Lama of Tibet. We do it for the 6 million Tibetans in the world today facing the very real and unfortunate threat of seeing their homeland destroyed and culture obliterated. And, we do it for each of us who believe that the gifts we have in our lives here do not excuse us from caring about the struggles of others.

I am pleased to submit this resolution, and ask my colleagues to support its immediate adoption.

Mr. President, I ask unanimous consent that a statement issued by the Dalai Lama of Tibet be printed in the RECORD.

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

STATEMENT BY THE DALAI LAMA ON THE 40TH ANNIVERSARY OF THE TIBETAN NATIONAL UPRISING, MARCH 10, 1999

My sincere greetings to my compatriots in Tibet as well as in exile and to all our friends and supporters all over the world on the occasion of the 40th anniversary of the Tibetan national uprising of 1959.

Four decades have passed since we came into exile and continued our struggle for freedom both in and outside Tibet. Four decades are a considerable time in a person's life. Many fellow countrymen, both those who stayed back in Tibet in 1959 and those who came out at that time, are now gone. Today, the second and third generations of Tibetans are shouldering the responsibility of our freedom struggle with undiminished determination and indomitable spirit.

During our four decades of life in exile, the Tibetan community has gone through a process of increasing democratization and has made tremendous progress in education. We have also been able to preserve and promote our unique cultural and religious heritage. Our achievement on all these fronts is now widely recognized and acknowledged by the international community. The credit for this achievement goes to the determination and hard work of the Tibetan people. However, our success would not have been possible without the generous assistance of many international aid organizations and individuals. We are especially grateful to the people and government of India for their unsurpassed generosity and hospitality ever since the late Prime Minister Jawaharlal Nehru gave asylum to the Tibetan refugees and laid down the programmes for education and rehabilitation of our exile community.

During the same four decades, Tibet has been under the complete control of the government of the People's Republic of China and the Chinese authorities have had a free hand in governing our country. The late Panchen Lama's 70,000-character petition of 1962 serves as a telling historical document on the draconian Chinese policies and actions in Tibet. The immense destruction and human suffering during the Cultural Revolution, which followed shortly afterwards are today known world-wide and I do not wish to dwell on these sad and painful events. In January 1989, a few days before his sudden death, the Panchen Lama further stated that the progress made in Tibet under China could not match the amount of destruction and suffering inflicted on the Tibetan people. Although some development and economic progress has been made in Tibet, our country continues to face many fundamental problems. In terms of history, culture, language, religion, way of life and geographical conditions, there are stark differences between Tibet and China. These differences result in grave clashes of values, dissent and distrust. At the sight of the slightest dissent the Chinese authorities react with force and repression resulting in widespread and serious violations of human rights in Tibet. These abuses of rights have a distinct character, and are aimed at preventing Tibetans as a people from asserting their own identity and culture, and their wish to preserve them. Thus, human rights violations in Tibet are often the result of policies of racial and cultural discrimination and are only the symptoms and consequences of a deeper problem. The Chinese authorities identify the distinct culture and religion of Tibet as the root cause of Tibetan resentment and dissent. Hence their policies are aimed at decimating this integral core of the Tibetan civilian and identity.

After a half a century of ''liberation'' the Tibetan issue is still very much alive and remains yet to be resolved. Obviously this situation is of no benefit to anyone, either to Tibet or to China. To continue along this path does nothing to alleviate the suffering of the Tibetan people, nor does it bring stability and unity to China or help in enhancing China's international image and standing. The only sensible and responsible way to address this problem is dialogue. There is no realistic alternative to it.

It is with this realization that in the early seventies I discussed and decided with my senior officials the main points of my ''Middle Way Approach''. Consequently, I opted for a resolution of the Tibet issue, which does not call for the independence of Tibet or its separation from China. I firmly believe that it is possible to find a political solution that ensures the basic rights and freedoms of the Tibetan people within the framework of the People's Republic of China. My primary concern is the survival and preservation of Tibet's unique spiritual heritage, which is based on compassion and non-violence. And, I believe it is worthwhile and beneficial to preserve this heritage since it continues to remain relevant in our present-day world.

With this spirit I responded immediately when Deng Xiaoping, in late 1978, signalled a willingness to resume dialogue with us. Since then our relation with the Chinese government has taken many twists and turns. Unfortunately, a lack of political will and courage on the part of the Chinese leadership has resulted in their failure to reciprocate my numerous overtures over the years. Thus, our formal contact with the Chinese government came to an end in August 1993. But a few informal channels through private persons and semi-officials were established after that. During the past one-and-a-half year one informal channel seemed to work smoothly and reliably. In addition, there were some indications that President Jiang personally had taken an interest in the Tibetan issue. When US President Clinton visited China last June, President Jiang discussed Tibet with him at some length. Addressing a joint press conference, President Jiang sought a public clarification from me on two conditions before resuming dialogues and negotiations. We, on our part, communicated to the Chinese government my readiness to respond to President Jiang's statement and our desire for an informal consultation before making it public. Sadly, there was no positive response from the Chinese side. Late last autumn, without any obvious reason, there was a noticeable hardening of the Chinese position on dialogue and their attitude towards me. This abrupt change was accompanied by a new round of intensified repression in Tibet. This is the current status of our relation with the Chinese government.

It is clear from our experiences of the past decades that formal statements, official rhetoric and political expediency alone will do little to either lessen the suffering of the concerned people or to solve the problem at hand. It is also clear that force can control human beings only physically. It is through reason, fairness and justice alone that the human mind and heart can be won over. What is required is the political will, courage and vision to tackle the root cause of the problem and resolve it once and for all to the satisfaction and benefit of the concerned people. Once we find a mutually acceptable solution to the Tibetan issue, I will not hold any official position, as I have clearly stated for many years.

The root cause of the Tibetan problem is not the difference in ideology, social system or issues resulting from clashes between tradition and modernity. Neither is it just the issue of human rights violations alone. The root of the Tibetan issue lies in Tibet's long, separate history, its distinct and ancient culture, and its unique identity.

Just as in late 1978, so also today, resumption of contact and dialogue is the only sensible and viable way to tackle this complex and grave problem. The atmosphere of deep distrust between Tibetans and Chinese must be overcome. This distrust will not go away in a day. It will dissipate only through face-to face meetings and sincere dialogues.

I feel that the Chinese leadership is sometimes hindered by its own suspicions so that it is unable to appreciate sincere initiatives from my side, either on the overall solution to the Tibetan problem or on any other matter. A case in point is my consistent and long-standing call for the need to respect the environmental situation in Tibet. I have long warned of the consequences of wanton exploitation of the fragile environment on the Tibet plateau. I did not do this out of selfish concern for Tibet. Rather, it has been acutely clear that any ecological imbalance in Tibet would affect not just Tibet, but all the adjacent areas in China and even its neighbouring counties. It is sad and unfortunate that it took, last year's devastating floods for the Chinese leadership to realize the need for environmental protection. I welcome the moratorium that has been placed on the denudation of forests in Tibetan areas and hope that such measures, belated though they may be, will be followed by more steps to keep Tibet's fragile ecosystem intact.

On my part, I remain committed to the process of dialogue as the means to resolve the Tibetan problem. I do not seek independence for Tibet. I hope that negotiations can begin and that they will provide genuine autonomy for the Tibetan people and the preservation and promotion of their cultural, religious and linguistic integrity, as well as their socio-economic development. I sincerely believe that my ''Middle Way Approach'' will contribute to stability and unity of the People's Republic of China and secure the right for the Tibetan people to live in freedom, peace and dignity. A just and fair solution to the issue of Tibet will enable me to give full assurance that I will use my moral authority to persuade the Tibetans not to seek separation.

As a free spokesman for the people of Tibet, I have made every possible effort to engage the Chinese government in negotiations on the future of the Tibetan people. In this endeavor, I am greatly encouraged and inspired by the support we receive from many governments, parliaments, non-governmental organizations and the public throughout the world. I am deeply grateful for their concern and support. I would like to make a special mention of the efforts being made by President Clinton and his Administration to encourage the Chinese government to engage in dialogues with us. In addition, we are fortunate to continue to enjoy

strong bipartisan support in the United State Congress.

The plight of the Tibetan people and our non-violent freedom struggle has touched the hearts and conscience of all people who cherish truth and justice. The international awareness of the issue of Tibet has reached an unprecedented height since last year. Concerns and active support for Tibet are not confined to human rights organizations, governments and parliaments. Universities, schools, religious and social groups, artistic and business communities as well as people from many other walks of life have also come to understand the problem of Tibet and are now expressing their solidarity with our cause. Reflecting this rising popular sentiment, many governments and parliaments have made the problem of Tibet an important issue on the agenda of their relations with the government of China.

We have also been able to deepen and broaden our relations with our Chinese brothers and sisters, belonging to the democracy and human rights movement. Similarly, we have been able to establish cordial and friendly relations with fellow Chinese Buddhists and ordinary Chinese people living abroad and in Taiwan. The support and solidarity that we receive from our Chinese brothers and sisters are a source of great inspiration and hope. I am particularly encouraged and moved by those brave Chinese within China who have urged their government or publicly called for a change in China's policy towards the Tibetan people.

Today, the Tibetan freedom movement is in a much stronger and better position than ever before and I firmly believe that despite the present intransigence of the Chinese government, the prospects for progress in bringing about a meaningful dialogue and negotiations are better today than ever. I, therefore, appeal to governments, parliaments and our friends to continue their support and efforts with renewed dedication and vigour. I strongly believe that such expressions of international concern and support are essential. They are vital in communicating a sense of urgency to the leadership in Beijing and in persuading them to address the issue of Tibet in a serious and constructive manner.

With my homage to the brave men and women of Tibet, who have died for the cause of our freedom, I pray for an early end to the suffering of our people.

Mr. MOYNIHAN. Mr. President, every year on March 10th we reflect on the plight of the Tibetan people. Forty years ago many Tibetan citizens gave their lives to defend their freedom and to prevent the Dalai Lama from being kidnaped by the Chinese army. For those who are committed to standing with the Tibetan people, it is a day to consider what can be done to lend support to Tibetan people, it is a day to consider what can be done to lend support to Tibetan aspirations. The United States Senate will mark the occasion by considering a resolution to mark this solemn occasion.

The United States Congress takes the position that Tibet is an occupied country whose true representatives are the Dalai Lama and the Tibetan Government in exile. The International Commission of Jurists (ICJ), which has closely followed the situation in Tibet since the Dalai Lama was forced to flee into exile, and has published reports in 1959, 1960, 1964, and 1997. After examining Chinese policies in Tibet, it reported its findings to the Secretary-General of the United Nations. The 1960 report made the important international legal determination that ''Tibet demonstrated from 1913 to 1950 the conditions of statehood as generally accepted under international law.''

Now the ICJ has returned to the issue of Tibet and produced another important report. It finds that repression in Tibet has increased since 1994. This is an assessment which my daughter Maura shares after having visited Tibet and having worked closely for many years with Tibetan refugees who continue to make the dangerous journey over the Himalayan mountains to flee persecution in their homeland. In 1996 she returned from Tibet to report that,

> . . . in recent months Beijing's leaders have renewed their assault on Tibetan culture, especially Buddhism, with an alarming vehemence. The rhetoric and the methods of the Cultural Revolution of the 1960s have been resurrected—reincarnated, what you will—to shape an aggressive campaign to vilify the Dalai Lama.

The Dalai Lama, of course, remains unstained, but it is time for the Chinese to consider a policy of ''constructive engagement'' of their own—with the Tibetans. For many years now, the United States Congress has called on the People's Republic of China to enter into discussions with the Dalai Lama or his representatives on a solution to the question of Tibet. Today we continue that message. This resolution declares March 10, 1999 as ''Tibetan National Day in solemn recognition of those Tibetans who sacrificed, suffered, or died as a result of Chinese aggression among their country.'' It also affirms the right of the Tibetan people to ''determine their own political future, including independence if they so determine.'' The government of the People's Republic of China should know that as the Tibetan people and His Holiness the Dalai Lama of Tibet go forward on their journey toward freedom the Congress and the people of the United States stand with them.

## AMENDMENTS SUBMITTED

### EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

### LOTT (AND ABRAHAM) AMENDMENT NO. 60

Mr. JEFFORDS (for Mr. LOTT for himself and Mr. ABRAHAM) proposed an amendment to the bill (S. 280) to provide for education flexibility partnerships; as follows:

At the end, add the following:

**SEC. . SENSE OF THE SENATE.**

(a) FINDINGS.—Congress finds that the amount appropriated to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) has not been sufficient to fully fund such part at the originally promised level, which promised level would provide to each State 40 percent of the average per-pupil expenditure for providing special education and related services for each child with a disability in the State.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any Act authorizing the appropriation of Federal education funds that is enacted after the date of enactment of this Act should provide States and local school districts with the flexibility to use the funds to carry out part B of the Individuals with Disabilities Education Act.

**SEC. . IDEA.**

Section 307 of the Department of Education Appropriations Act, 1999, is amended by adding after subsection (g) the following:

''(h) Notwithstanding subsections (b)(2), and (c) through (g), a local educational agency may use funds received under this section to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) in accordance with the requirements of such part.''.

### FEINSTEIN AMENDMENT NO. 61

Mrs. FEINSTEIN proposed an amendment to the bill, S. 280, supra; as follows:

At the end, add the following:

**TITLE —STUDENT ACHIEVEMENT**

**SEC. 01. SHORT TITLE.**

This title may be cited as the ''Student Achievement Act of 1999''.

**SEC. 02. REMEDIAL EDUCATION.**

(a) GRANTS AUTHORIZED.—The Secretary is authorized to award grants to high need, low-performing local educational agencies to enable the local educational agencies to carry out remedial education programs that enable kindergarten through grade 12 students who are failing or are at risk of failing to meet State achievement standards in the core academic curriculum.

(b) USE OF FUNDS.—Grant funds awarded under this section may be used to provide prevention and intervention services and academic instruction, that enable the students described in subsection (a) to meet challenging State achievement standards in the core academic curriculum, such as—

(1) implementing early intervention strategies that identify and support those students who need additional help or alternative instructional strategies;

(2) strengthening learning opportunities in classrooms by hiring certified teachers to reduce class sizes, providing high quality professional development, and using proven instructional practices and curriculum aligned to State achievement standards;

(3) providing extended learning time, such as after-school and summer school; and

(4) developing intensive instructional intervention strategies for students who fail to meet the State achievement standards.

(c) APPLICATIONS.—Each local educational agency desiring to receive a grant under this section shall submit an application to the Secretary. Each application shall contain—

(1) an assurance that the grant funds will be used in accordance with subsection (b); and

(2) a detailed description of how the local educational agency will use the grant funds to help students meet State achievement standards in the core academic curriculum by providing prevention and intervention services and academic instruction to students who are most at risk of failing to meet the State achievement standards.

(d) CONDITIONS FOR RECEIVING FUNDS.—A local educational agency shall be eligible to receive a grant under this section if the local educational agency or the State educational agency—

(1) adopts a policy prohibiting the practice of social promotion;