

SMITH of Washington changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1730

PERMISSION TO CONSIDER MEMBER AS FIRST SPONSOR OF H.R. 2009

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 2009, a bill initially introduced by former Representative Capps of California, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 4 of rule XXII.

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

There was no objection.

#### POLITICAL FREEDOM IN CHINA ACT OF 1997

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to House Resolution 302, and as the designee of the chairman of the Committee on International Relations, I call up the bill (H.R. 2358) to provide for improved monitoring of human rights violations in the People's Republic of China, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The bill is considered read for amendment.

The text of H.R. 2358 is as follows:

H.R. 2358

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Political Freedom in China Act of 1997".

#### SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The Congress concurs in the following conclusions of the United States Department on human rights in the People's Republic of China in 1996:

(A) The People's Republic of China is "an authoritarian state" in which "citizens lack the freedom to peacefully express opposition to the party-led political system and the right to change their national leaders or form of government".

(B) The Government of the People's Republic of China has "continued to commit widespread and well documented human rights abuses, in violation of internationally accepted norms, stemming from the authorities' intolerance of dissent, fear of unrest, and the absence or inadequacy of laws protecting basic freedoms".

(C) "[a]buses include torture and mistreatment of prisoners, forced confessions, and arbitrary and incommunicado detention".

(D) "[p]rison conditions remained harsh [and] [t]he Government continued severe restrictions on freedom of speech, the press, assembly, association, religion, privacy, and worker rights".

(E) "[a]lthough the Government denies that it holds political prisoners, the number of persons detained or serving sentences for

'counterrevolutionary crimes' or 'crimes against the state' and for peaceful political or religious activities are believed to number in the thousands".

(F) "[n]on-approved religious groups, including Protestant and Catholic groups . . . experienced intensified repression".

(G) "[s]erious human rights abuses persist in minority areas, including Tibet, Xinjiang, and Inner Mongolia[, and] [c]ontrols on religion and other fundamental freedoms in these areas have also intensified".

(H) "[o]verall in 1996, the authorities stepped up efforts to cut off expressions of protest or criticism. All public dissent against the party and government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest. No residents were known to be active at year's end."

(2) In addition to the State Department, credible independent human rights organizations have documented an increase in repression in China during 1996, and effective destruction of the dissident movement through the arrest and sentencing of the few remaining pro-democracy and human rights activists not already in prison or exile.

(3) Among those were Wang Dan, a student leader of the 1989 pro-democracy protests, sentenced on October 30, 1996, to 11 years in prison on charges of conspiring to subvert the Government; Li Hai, sentenced to 9 years in prison on December 18, 1996, for gathering information on the victims of the 1989 crackdown, which according to the court's verdict constituted "state secrets"; and Liu Nianchun, an independent labor organizer, sentenced to 3 years of "re-education through labor" on July 4, 1996, due to his activities in connection with a petition campaign calling for human rights reforms.

(4) Many political prisoners are suffering from poor conditions and ill-treatment leading to serious medical and health problems, including—

(A) Wei Jingsheng, sentenced to 14 years in prison on December 13, 1996, for conspiring to subvert the government and for "communication with hostile foreign organizations and individuals, amassing funds in preparation for overthrowing the government and publishing anti-government articles abroad," is currently held in Jile No. 1 Prison (formerly the Nanpu New Life Salt Farm) in Hebei province, where he reportedly suffers from severe high blood pressure and a heart condition, worsened by poor conditions of confinement;

(B) Gao Yu, a journalist sentenced to 6 years in prison on November 1994 and honored by UNESCO in May 1997, has a heart condition; and

(C) Chen Longde, a leading human rights advocate now serving a 3-year reeducation through labor sentence imposed without trial in August 1995, has reportedly been subject to repeated beatings and electric shocks at a labor camp for refusing to confess his guilt.

(5) In 1997, only 1 official in the United States Embassy in Beijing is assigned to human monitoring human rights in the People's Republic of China, and no officials are assigned to monitor human rights in United States consulates in the People's Republic of China.

#### SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL PERSONNEL AT DIPLOMATIC POSTS TO MONITOR HUMAN RIGHTS IN THE PEOPLE'S REPUBLIC OF CHINA.

There are authorized to be appropriated to support personnel to monitor political repression in the People's Republic of China in the United States Embassy in Beijing, as well as the American consulates in Guangzhou, Shanghai, Shenyang, Chengdu,

and Hong Kong, \$2,200,000 for fiscal years 1998 and \$2,200,000 for fiscal year 1999.

The SPEAKER pro tempore. Pursuant to House Resolution 302, the amendments printed in the bill and the amendments printed in part 1-A of House Report 105-336 are adopted.

The text of H.R. 2358, as amended pursuant to House Resolution 302, is as follows:

H.R. 2358

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

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(B) The Government of the People's Republic of China has "continued to commit widespread and well documented human rights abuses, in violation of internationally accepted norms, stemming from the authorities' intolerance of dissent, fear of unrest, and the absence or inadequacy of laws protecting basic freedoms".

(C) "[a]buses include torture and mistreatment of prisoners, forced confessions, and arbitrary and incommunicado detention".

(D) "[p]rison conditions remained harsh [and] [t]he Government continued severe restrictions on freedom of speech, the press, assembly, association, religion, privacy, and worker rights".

(E) "[a]lthough the Government denies that it holds political prisoners, the number of persons detained or serving sentences for 'counterrevolutionary crimes' or 'crimes against the state', or for peaceful political or religious activities are believed to number in the thousands".

(F) "[n]onapproved religious groups, including Protestant and Catholic groups . . . experienced intensified repression".

(G) "[s]erious human rights abuses persist in minority areas, including Tibet, Xinjiang, and Inner Mongolia[, and] [c]ontrols on religion and on other fundamental freedoms in these areas have also intensified".

(H) "[o]verall in 1996, the authorities stepped up efforts to cut off expressions of protest or criticism. All public dissent against the party and government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest. No dissidents were known to be active at year's end."

(2) In addition to the State Department, credible independent human rights organizations have documented an increase in repression in China during 1995, and effective destruction of the dissident movement through the arrest and sentencing of the few remaining pro-democracy and human rights activists not already in prison or exile.

(3) Among those were Wang Dan, a student leader of the 1989 pro-democracy protests, sentenced on October 30, 1996, to 11 years in prison on charges of conspiring to subvert the Government; Li Hai, sentenced to 9 years in prison on December 18, 1996, for gathering information on the victims of the 1989 crackdown, which according to the court's verdict constituted "state secrets"; Liu Nianchun,

an independent labor organizer, sentenced to 3 years of "re-education through labor" on July 4, 1996, due to his activities in connection with a petition campaign calling for human rights reforms, and Ngodrup Phuntsog, a Tibetan national, who was arrested in Tibet in 1987 immediately after he returned from a 2-year trip to India, where the Tibetan government in exile is located, and following a secret trial was convicted by the Government of the People's Republic of China of espionage on behalf of the 'Ministry of Security of the Dalai clique'.

(4) Many political prisoners are suffering from poor conditions and ill-treatment leading to serious medical and health problems, including—

(A) Wei Jingsheng, sentenced to 14 years in prison on December 13, 1996, for conspiring to subvert the government and for "communication with hostile foreign organizations and individuals, amassing funds in preparation for over-throwing the government and publishing anti-government articles abroad," is currently held in Jile No. 1 Prison (formerly the Nanpu New Life Salt Farm) in Hebei province, where he reportedly suffers from severe high blood pressure and a heart condition, worsened by poor conditions of confinement;

(B) Gao Yu, a journalist sentenced to 6 years in prison on November 1994 and honored by UNESCO in May 1997, has a heart condition; and

(C) Chen Longde, a leading human rights advocate now serving a 3-year reeducation through labor sentence imposed without trial in August 1995, has reportedly been subject to repeated beatings and electric shocks at a labor camp for refusing to confess his guilt.

(5) The People's Republic of China, as a member of the United Nations, is expected to abide by the provisions of the Universal Declaration of Human Rights.

(6) The People's Republic of China is a party to numerous international human rights conventions, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

### SEC. 3. CONDUCT OF FOREIGN RELATIONS.

(a) RELEASE OF PRISONERS.—The Secretary of State, in all official meetings with the Government of the People's Republic of China, should request the immediate and unconditional release of Ngodrup Phuntsog and other prisoners of conscience in Tibet, as well as in the People's Republic of China.

(b) ACCESS TO PRISONS.—The Secretary of State should seek access for international humanitarian organizations to Draphchi prison and other prisons in Tibet, as well as in the People's Republic of China, to ensure that prisoners are not being mistreated and are receiving necessary medical treatment.

(c) DIALOGUE ON FUTURE OF TIBET.—The Secretary of State, in all official meetings with the Government of the People's Republic of China, should call on that country to begin serious discussions with the Dalai Lama or his representatives, without preconditions, on the future of Tibet.

### SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL PERSONNEL AT DIPLOMATIC POSTS TO MONITOR HUMAN RIGHTS IN THE PEOPLE'S REPUBLIC OF CHINA.

There are authorized to be appropriated to support personnel to monitor political repression in the People's Republic of China in the United States Embassies in Beijing and Kathmandu, as well as the American consulates in Guangzhou, Shanghai, Shenyang, Chengdu, and Hong Kong, \$2,200,000 for fiscal year 1998 and \$2,200,000 for fiscal year 1999.

### SEC. 5. DEMOCRACY BUILDING IN CHINA.

(a) AUTHORIZATION OF APPROPRIATIONS FOR NED.—In addition to such sums as are other-

wise authorized to be appropriated for the "National Endowment for Democracy" for fiscal years 1998 and 1999, there are authorized to be appropriated for the "National Endowment for Democracy" \$5,000,000 for fiscal year 1998 and \$5,000,000 for fiscal year 1999, which shall be available to promote democracy, civil society, and the development of the rule of law in China.

(b) EAST ASIA-PACIFIC REGIONAL DEMOCRACY FUND.—The Secretary of State shall use funds available in the East Asia-Pacific Regional Democracy Fund to provide grants to nongovernmental organizations to promote democracy, civil society, and the development of the rule of law in China.

### SEC. 6. HUMAN RIGHTS IN CHINA.

(a) REPORTS.—Not later than March 30, 1998, and each subsequent year thereafter, the Secretary of State shall submit to the International Relations Committee of the House of Representatives and the Foreign Relations Committee of the Senate an annual report on human rights in China, including religious persecution, the development of democratic institutions, and the rule of law. Reports shall provide information on each region of China.

(b) PRISONER INFORMATION REGISTRY.—The Secretary of State shall establish a Prisoner Information Registry for China which shall provide information on all political prisoners, prisoners of conscience, and prisoners of faith in China. Such information shall include the charges, judicial processes, administrative actions, use of forced labor, incidences of torture, length of imprisonment, physical and health conditions, and other matters related to the incarceration of such prisoners in China. The Secretary of State is authorized to make funds available to nongovernmental organizations presently engaged in monitoring activities regarding Chinese political prisoners to assist in the creation and maintenance of the registry.

### SEC. 7. SENSE OF CONGRESS CONCERNING ESTABLISHMENT OF A COMMISSION ON SECURITY AND COOPERATION IN ASIA.

It is the sense of the Congress that Congress, the President, and the Secretary of State should work with the governments of other countries to establish a Commission on Security and Cooperation in Asia which would be modeled after the Commission on Security and Cooperation in Europe.

### SEC. 8. SENSE OF CONGRESS REGARDING DEMOCRACY IN HONG KONG.

It is the sense of the Congress that the people of Hong Kong should continue to have the right and ability to freely elect their legislative representatives, and that the procedure for the conduct of the elections of the first legislature of the Hong Kong Special Administrative Region should be determined by the people of Hong Kong through an election law convention, a referendum, or both.

### SEC. 9. SENSE OF THE CONGRESS RELATING TO ORGAN HARVESTING AND TRANSPLANTING IN THE PEOPLE'S REPUBLIC OF CHINA.

It is the sense of the Congress that—

(1) the Government of the People's Republic of China should stop the practice of harvesting and transplanting organs for profit from prisoners that it executes;

(2) the Government of the People's Republic of China should be strongly condemned for such organ harvesting and transplanting practice;

(3) the President should bar from entry into the United States any and all officials of the Government of the People's Republic of China known to be directly involved in such organ harvesting and transplanting practice;

(4) individuals determined to be participating in or otherwise facilitating the sale of

such organs in the United States should be prosecuted to the fullest possible extent of the law; and

(5) the appropriate officials in the United States should interview individuals, including doctors, who may have knowledge of such organ harvesting and transplanting practice.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment specified in part 1-B of the report, if offered by the gentleman from New York [Mr. GILMAN], or his designee, which shall be considered read and debatable for 30 minutes, equally divided and controlled by the proponent and an opponent.

The gentlewoman from Florida [Ms. ROS-LEHTINEN] and the gentleman from New Jersey [Mr. MENENDEZ] each will control 30 minutes of debate on the bill.

The Chair recognizes the gentlewoman from Florida [Ms. ROS-LEHTINEN].

#### GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

(Ms. ROS-LEHTINEN asked and was given permission to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, the bill before us today, H.R. 2358, the Political Freedom in China Act, is an attempt to give the people of China a voice. It is a message of support to the human rights dissidents, to the political activists, to those who are persecuted each and every day because they have the courage to stand up for their beliefs and disagree with their government.

The message this bill sends is that the United States Congress values the right of the Chinese people to be free, to determine their fate, and to express their will. This bill says to the people of China, the United States Congress takes your plight seriously and we are willing to provide a tool, a more efficient and transparent mechanism to monitor human rights violations. This bill is that tool.

Among other provisions, this bill assigns additional diplomats to the United States embassy and consulates, whose sole responsibility will be to monitor human rights violations in China. It would also station one American human rights monitor in Nepal.

It requires State Department officials to raise human rights concerns in every meeting with Chinese officials. It authorizes increased funding for the National Endowment for Democracy projects in China.

This bill requires the State Department to establish a prisoner information registry for China that will gather

and provide information on all political prisoners held in Chinese gulags.

This legislation also supports the continuation of democratic reforms for the people of Hong Kong.

Last week, while China's Communist leader was greeted with pomp and circumstance, treated more like a movie star than the leader of a regime which turns its tanks and weapons against its very own people, thousands of innocent Chinese people were being detained without process, others disappeared, and others were executed.

As the Chinese President toured various cities in the United States, as he spoke at Harvard University, his regime continued to severely restrict the freedom of speech, freedom of the press, freedom of assembly, freedom of religion, privacy, and worker rights.

The grim reality of China's dictatorship is clearly outlined in the latest State Department Human Rights Report on China which states:

The Chinese government continued to commit widespread and well-documented human rights abuses. Abuses include torture, mistreatment of prisoners, forced confessions, arbitrary and lengthy incommunicado detention.

More importantly, our State Department report underscored that the situation is getting worse.

Overall in 1996, the report says, the authorities stepped up efforts to cut off expression of protests or criticism.

Our State Department report continues:

All public dissent against the party and government was effectively silenced by intimidation, by exile, by the imposition of prison terms, by administrative detention, or by house arrest.

The gentleman from California [Mr. DREIER] and the gentleman from Illinois [Mr. PORTER] have incorporated their amendments in our bill, which provide funds to the National Endowment for Democracy to assist these human rights groups in China, and it calls for an annual State Department report to the Congress on the progress being made on this critical issue. Their amendment also calls on our State Department to take further steps to work with human rights groups in that country.

Let us not be fooled. A dictator is a dictator. The dictator's thirst for power, for control, knows no bounds. As a result, a dictator does not loosen his hold on the people. A dictator tightens his grip with each challenge, regardless of the magnitude or source. The situation in China is a good example of this.

Just when one thinks that the atrocities cannot get any worse, recent news reports indicate that the Chinese regime is preselling the organs of prisoners destined for execution.

The gentlewoman from Washington [Mrs. SMITH] has incorporated her amendment in our bill, which highlights the fact that the regime is harvesting these organs for sale to the

highest bidder. Perhaps the Chinese regime is looking at this as a new industry for its economy.

Furthermore, the regime in China is intensifying its campaign to systematically erase the culture, population and religion of Tibet. It has arrested thousands of Tibetan Buddhist priests and nuns and has destroyed between 4,000 to 5,000 monasteries.

The gentleman from Hawaii [Mr. ABERCROMBIE] has added his amendment to the bill, which helps bring human rights in China and Tibet to the forefront of any negotiations of our State Department that we may have with China by highlighting the plight of political prisoners and prisoners of conscience in that country.

Religious persecution, as noted by our colleague from Hawaii, extends to hundreds of Protestant pastors, of Catholic priests who, like Bishop Su who was again arrested on October 8, disappear in the gulag that is China's jails.

We must act, and we must act now. We cannot sit idly by, hoping that other approaches may take effect and lead to a change in China.

What about the gross violations that will take place in the meantime? Can we ignore those realities? Can we ignore our moral responsibility to the people of China?

The bill before us offers a concrete solution, a viable option to begin turning back the tide of abuse and torture by the Chinese regime.

I would especially like to thank the architect of this package of China bills, the gentleman from California [Mr. COX], whose commitment and dedication to this effort has helped bring about this package of China-related bills to the floor today, and of course to the gentleman from New York [Mr. GILMAN], our chairman, for his unwavering support and leadership on this issue.

I urge all of my colleagues to vote in favor of the bill before us, the Political Freedom in China Act.

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

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

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, I rise in support of the legislation, H.R. 2358, a bill that if our colleagues support, which we believe they will, puts Congress in concurrence with many of the conclusions of the Department of State in its 1996 human rights report with respect to the People's Republic of China, including the fact that China is an authoritarian State, that the Government of China has continued to commit widespread and well-documented human rights abuses; that abuses include torture and mistreatment of prisoners for its confessions and arbitrary and incommunicado detention, that the number of persons detained are believed to be in the thousands, and that

overall, in 1996, the authorities stepped up efforts to cut off expressions of protest or criticism.

But all dissent against the party and government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest, and that as a result of those activities, no dissidents were known to be active at the end of 1996.

So for all of those and many other reasons, it is fitting and appropriate that we in fact provide the resources to create the opportunity to fully monitor Chinese political repression.

Mr. Speaker, I yield 4½ minutes to the distinguished gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, the gentlewoman from Florida [Ms. ROS-LEHTINEN]; the gentleman from New York [Mr. GILMAN]; the gentleman from New York [Mr. SOLOMON]; also the gentleman from California [Mr. MARTINEZ] and the gentleman from Indiana [Mr. HAMILTON], and the gentlewoman from California [Ms. PELOSI] have led the way on this bill, on these series of bills.

I rise in support of H.R. 2358. This bill relates to imprisonment, to abuse and human rights violations perpetrated on nonviolent political activists in the People's Republic of China. It goes without saying, Mr. Speaker, that U.S.-China relations are important, and that our government should pursue improved ties with China. It is equally important, however, that the pursuit of improved relations should not cause us to forget the victims of human rights abuses.

Our concern stems from widely recognized standards of international behavior and our core values as a Nation. It is in the context of those values and standards, standards which the People's Republic of China has herself formally subscribed, and I want to emphasize to the Members, we are not trying to impose anything on the People's Republic of China, other than what the People's Republic has already signed up for.

We as Members of Congress call the world's attention to ongoing human rights violations and prisoners of conscience in China and Tibet. One of the most effective means, Mr. Speaker, of directing attention to the plight of such prisoners is to focus on the circumstances of individual prisoners. By doing so, we transpose the issue from the realm of abstraction to real-life men and women whose bodies are subjected to torture and neglect, whose minds are cruelly punished with techniques deliberately designed to induce confusion, demoralization and despair.

Time and again, ex-prisoners of repressive regimes tell us that the single most important gift they can receive is the news they are not forgotten by the outside world, that others know of their suffering and that others are working for their release.

□ 1745

That is why the Congressional Human Rights Caucus and the Congressional Working Group on China and the emphasis in this bill is urging every Member of Congress to adopt a prisoner in China or Tibet, and to publicize his or her plight, and to demand his or her release.

All of us, Mr. Speaker, can adopt one of these prisoners, make that prisoner our own, so they will not be forgotten. They will understand that the flicker of light of freedom will come from the floor of this House today and will shine, and those people will know it. It will warm their hearts and give them hope for the future.

The self-executing rule for H.R. 2358 adds my amendment, which will include Mr. Ngodrup Phuntsog among the number of specifically named prisoners of conscience. Mr. Phuntsog is a Tibetan restaurateur whose crime was to provide tea and food to proindependence demonstrators. For this he was sentenced in 1989 on the spurious charge of espionage to 11 years in prison.

Mr. Speaker, Mr. Phuntsog was sentenced to 11 years in prison. Think of it. We are gathered together here today on this floor, with all the freedoms at our command, and this gentleman sits in prison for 11 years, and an additional 4 years deprivation of political rights.

It is feared that his treatment in Lhasa's Drapchi Prison is extremely harsh. We lack precise information on his health and treatment, but reports from our colleague, the gentleman from Virginia [Mr. FRANK WOLF] give cause for serious concern.

Recently the gentleman from Virginia [Mr. WOLF] visited Tibet unofficially. He found widespread repression, including credible reports of the maltreatment of political prisoners, and my amendment helps direct the spotlight of international attention to the cell where Ngodrup Phuntsog and others are being held under conditions we can only imagine.

My amendment complements the underlying bill by addressing the wider issue of human rights in China and Tibet. It calls for a policy which seeks the immediate and unconditional release of all prisoners of conscience in China and Tibet, access to international humanitarian organizations in prisons in China and Tibet, to ensure that the prisoners are not being maltreated or neglected, and the commencement of negotiations between the People's Republic of China and the Dalai Lama without preconditions on the future of Tibet.

I urge all my colleagues, Mr. Speaker, all my colleagues, to vote for the Nation's highest ideals, and to send, above all, a message of hope to prisoners of conscience in China and Tibet. Vote for H.R. 2358.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to our colleague, the gentleman from New York [Mr. GILMAN], the esteemed chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, I am pleased to rise in strong support of H.R. 2358, the Political Freedom in China Act of 1997. This bill authorizes \$2 million for fiscal years 1998 and 1999 to be appropriated to the State Department to ensure that there are adequate personnel to monitor political repression in the People's Republic of China in the United States Embassy in Beijing, as well as the American consulates in Kathmandu, Guangzhou, Shanghai, Shenyang, Chengdu, and Hong Kong.

Testimony and reports from both private nongovernmental organizations and the administration clearly stated the importance of having more State Department personnel assigned solely to monitor human rights of the people living under the rule of Government of the People's Republic of China.

I want to commend the distinguished chairwoman of our committee's Subcommittee on International Economic Policy and Trade, the gentlewoman from Florida [Ms. ROS-LEHTINEN] for introducing this measure.

The China section of the State Department Country Reports on Human Rights Practices for 1996 states that overall in 1996, the authorities stepped up efforts to cut off expressions of protest or criticism. All public dissent against the party and Government were effectively silenced by intimidation, by exile, the imposition of prison terms, by administrative detention, or house arrest. No dissidents were known to be active at the year's end.

The repression of human rights and the people living under the rule of the Government of the People's Republic of China has reached levels not even experienced in the former Soviet Union. In illegally occupied Tibet, people are in prison for even listening to Radio Free Asia, to the Voice of America, and for possessing a photograph of His Holiness, the Dalai Lama.

Regrettably, current U.S. policy toward China is held hostage by mostly short-term, narrowly defined business interests. H.R. 2358 attempts to address this problem by bringing balance and logic back into our China policy, by addressing the important cornerstone of our American values, the protection and advancement of fundamental human rights of people around the world.

Once human rights and the rule of law are addressed, then long-term business interests can operate in a safe, conducive environment, one that benefits the worker, the student, and businesses. Accordingly, Mr. Speaker, I urge full support for this legislation.

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland [Mr. CARDIN].

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

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

Mr. Speaker, I rise in support of H.R. 2358. Too often our discussions of China's horrendous human rights conditions are limited to the issue of trade. Today we can discuss human rights independently, demonstrating its true significance to us in the United States.

Perhaps Columbia University Professor Andrew Nathan expressed it best when he stated, "Human rights in China are of national interest to the United States. Countries that respect the rights of their citizens are less likely to start wars, export drugs, harbor terrorists, or produce refugees. The greater the power of the country without human rights, the greater the danger to the United States."

Mr. Speaker, China's record on human rights is deplorable. It is outrageous. In regards to religious groups, unauthorized religious congregations are forced to register. Their members have been beaten and fined. There was recently a raid on the bishop leader of a Catholic diocese. That is outrageous. We cannot allow that to continue.

Freedom of speech is still under siege in China. The Minister of Civil Affairs imposed an indefinite and nationwide moratorium on new social bodies. The people of China are being stifled. From Tibet to forced abortions, the list goes on and on and on. We all know the circumstances within China.

Mr. Speaker, this bill will allow us to establish the monitoring of political repression within China. The bill is necessary, the bill is right, and I hope this body will approve this measure by an overwhelming number.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to our colleague, the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, we are at a defining moment. The Communist Chinese authorities and the oppressed people of China and other countries around the world are watching. They will note what we are doing here today.

During the cold war, America made some strategic alliances with sometimes dictatorial regimes. Perhaps the most blatant of these strategic alliances was that we established a positive relationship between the Communist government of China and the United States of America.

The cold war is over. If it ever made any sense for us to be locked arm in arm with an oppressive regime, it makes no sense today. The people, the free people of the world, the people who look to the United States of America, know we mean what we say.

President Clinton, during the last visit of this Communist dictator to our country just a few weeks ago, had some words to say. Unless we put muscle behind those words, it will have the opposite impact than what the American

people think. It will actually demoralize those people who believe in freedom overseas, and it will create strength among the Communist dictators to hold power, if they think those words about human rights were nothing more than word confetti for the American people.

No, today the U.S. Congress is going to act. This piece of legislation is the first of many that will prove to the world that America still is the beacon of hope and justice for all the oppressed people of the world. When it comes down to the bottom line, the American people are serious when we talk about freedom and justice, and that those people around the world who believe in freedom and justice, they will be our friends. We are on their side, and not the side of the oppressor.

Mr. Speaker, there is a relationship between peace, prosperity, and liberty. Let us stand for liberty today, and we will have peace and we will have prosperity in the long run. If we do not, it will hurt America.

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I thank the distinguished ranking member and my good friend, the gentleman from Indiana [Mr. HAMILTON], for yielding me the time.

Mr. Speaker, I rise in strong support of the President's policy of constructive engagement, I rise in strong support of MFN for China, and I rise in very strong support of continuing to have a pillar of our foreign policy be constructed on human rights.

I therefore endorse the amendment offered by the gentlewoman from Florida [Ms. ROS-LEHTINEN], which will authorize \$2.2 million for each of the next 2 years to help monitor political repression in China, and show to Americans, to the Chinese, and the people around the world that we are indeed devoted and dedicated to human rights practices being greatly improved in China.

I do want to say that there are some concerns that I have with some parts of the underlying language in this bill. For instance, the amendment would extend the time for congressional consideration of the President's certifications from 30 days to 120 days of continuous session.

That 120 days of continuous session may, in fact, make it very difficult, according to the administration and the President's State Department, for us to then engage with the Chinese in these congressional considerations of the President's recommendations on nuclear nonproliferation and business arrangements in China.

But I do want to say my strong support for the gentlewoman's underlying amendments, her commitment to human rights, the United States' commitment to human rights.

We come to the exchange that the President had with Jiang Zemin right down the street at the White House,

where a press reporter asked, how do you both see what happened in Tiananmen Square? Jiang Zemin said, in effect, that this threatened their national security and their actions were, therefore, legitimate.

President Clinton, standing right next to him, said he strongly disagreed with what took place in Tiananmen Square, that they had very different views on human rights, and that they should continue a constructive engagement, but we should continue to see big, big changes in human rights, in nuclear nonproliferation policy, in trade areas, in political repression; in us now allowing three people to be sent to China now, three of our religious leaders, to help try to open up China, and also, Bishop Su, a Catholic, was recently released from imprisonment in China; small steps, not enough. This amendment by the gentlewoman will certainly help. I strongly support it.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

(Mr. SOLOMON asked and was given permission to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, let me just rise in strong support of this great legislation, and commend the gentlewoman from Florida, [Ms. ILEANA ROS-LEHTINEN], for sponsoring this bill, and for her steadfast support of freedom around this world, and especially in China.

Mr. Speaker, as I alluded to in my remarks on the rule, this bill is really the least we can do to fight inhumane repression in Communist China.

By increasing funding the number of State Department human rights monitors in and around China, we will be much more able to get a true picture of what is happening in that vast country.

And we already know some of that.

We know that hardly a day goes by without reading of yet another act of aggression, another act of duplicity, or another affront to humanity committed by the dictatorship in Beijing.

Consider human rights: The same people who conducted the massacre in Tiananmen Square, and the inhumane oppression of Tibet, have been busily eradicating the last remnants of the democracy movement in China.

According to the U.S. State Department's annual human rights report, and I quote: "Overall in 1996, the authorities stepped up efforts to cut off expressions of protest or criticism. All public dissent against the party and government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest."

I emphasize the words "stepped up," Mr. Speaker. Human rights in China are getting worse.

China has also ramped up its already severe suppression of religious activity.

That is why we need this bill, Mr. Speaker.

Mr. Speaker, I am glad that we were able in the Rules Committee to self execute some excellent amendments to this bill by members of both parties.

Mr. ABERCROMBIE and Mr. GILMAN are to be commended for bringing the subject of China's humiliating policies in Tibet to the fore with their amendments.

And LINDA SMITH's amendment condemning China's practice of harvesting organs from prisoners sheds light on yet another example of the odious nature of this regime.

This bill deserves unanimous support.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 4 minutes to our colleague, the gentlewoman from Washington [Mrs. LINDA SMITH], who is the author of the amendment in our bill against the harvesting and selling of organs of political prisoners in China.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I rise today in support of this bill, called the Political Freedom in China Act of 1997, but I would especially like to commend its author. This is not a fun thing to talk about, but she has worked very hard to bring it to the floor today.

□ 1800

Mr. Speaker, included in the Political Freedom in China Act is a provision from several of us in the House. It is House Concurrent Resolution 180, which was originally introduced by the gentlewoman from California [Ms. PELOSI], the gentleman from New York [Mr. GILMAN], the gentleman from New York [Mr. SOLOMON], the gentleman from Illinois [Mr. HYDE], the gentleman from New Jersey [Mr. SMITH], the gentleman from Virginia [Mr. WOLF], and the gentleman from California [Mr. COX], chair of the Republican Policy Committee, as well as [Mr. WELDON], the gentleman from Kansas [Mr. TIAHRT], and the gentleman from Connecticut [Mr. GEJDENSON].

This language expresses the sense of Congress that the Chinese Government should be condemned for its practice of executing prisoners and selling their organs for transplant. It also says that any Chinese official directly involved in these executions and operations should be barred from entering the United States ever.

Finally, it calls upon U.S. officials to prosecute those who are illegally marketing and selling these organs in the United States. Wealthy Americans are reported to be paying \$30,000 and then travel to China, where they receive the kidney of an executed prisoner at a special hospital operated by the People's Liberation Army.

Mr. Speaker, while reports of prisoners being executed have gone on, these reports, for several years, it was not until just a month ago that there was a broadcast by "Primetime Live," an ABC program, that brought the issue into focus.

I am going to submit for the RECORD a copy of the transcript. This will show what we saw on the program, and I would like it to be a part of the CONGRESSIONAL RECORD.

It showed the People's Liberation Army preparing in hospitals for the prisoners. It showed the prisoners being executed as guards and soldiers

repositioned the guns at the base of their neck to be assured that when they were executed there were no organs destroyed. Then it showed the interview of several people who had received or been a part of the operations or the sale of the organs in the United States. We have received a letter from the head of the FBI, Director Louis Freeh of the FBI, stating that he is fully committed to aggressively investigate this, and for this we commend him.

But this act fits very well together because it says that we are going to spend money on China. We are going to spend \$2.2 million for the next 2 years so the State Department can look into these issues. Right now the Chinese Government denies it in spite of the facts. But this bill will carry people into China and require that light be shined on this atrocious practice.

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. GEPHARDT], the distinguished minority leader.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I rise today to speak about an issue of values, an issue where there is a clear distinction between right and wrong and where we can stand on the right side of history.

The United States serves as the beacon of liberty in our world. We are a nation founded on ideals, the idea that every person, from whatever racial or ethnic or religion or belief, is endowed by God with inalienable rights, the right of life, the right of liberty. We must never forget this.

Americans have shed blood on five continents in support of these ideas. Americans have expended extensive resources in support of these ideas. These are not ideas that Americans take lightly or ideas that we can just discard. These ideas are powerful enough to cause people to risk their lives and have caused people to give up their lives.

It has become fashionable to keep the Declaration of Independence folded up inside our suit pockets for use on certain occasions, Fourth of July parades, Bicentennial celebration, political campaigns. It is not something to keep folded up or hidden away. It is something to wear on our sleeves, to remember and to rededicate ourselves to. It is not for rhetorical flourishes and empty celebration but for inspiration for our actions and our deeds.

We must not be willing to keep the ideas in that sacred text folded up and in a drawer in order to not offend our important foreign visitor from the Republic of China.

The proper time to be talking about this subject would have been 2 weeks ago before President Jiang Zemin left our country. We should have spoken out on this floor prior to the President's visit, at a time when 1 billion people on the other side of the world were craning their necks to listen.

We had an opportunity to make it perfectly clear that while we put great importance on having a cordial and productive relationship with the people of China, we will never forget that our Nation's bedrock principles are not relative. The freedoms that Thomas Jefferson wrote of over 200 years ago are universal and timeless. They are absolute. If Albert Einstein were here today, a man who fled Nazi tyranny to America, I know that he would say that those laws of freedom are as absolute as any theory of physics.

We should not have to trade away our conscience with our commerce. We must pursue a policy of active engagement on a whole range of issues, not downplay our differences.

I think the President of China was very happy with his reception in this country. From his perspective, the trip was a total success. He was able to put on a tricornered hat in Williamsburg, the State where Jefferson formulated his vision of human rights, without facing any strong challenge to the undemocratic and brutal rule of the Chinese Communist government. He was able to put forth his preposterous theory about the relativity of human rights and call the issue of Tibet an internal matter.

Well, we should not be happy with the fact that he is happy over his trip to the United States, and neither should any American who believes that our bedrock ideals are absolute, eternal, and paramount to issues of commerce.

Human rights is at the core of our bedrock ideals. That is why I am speaking about this bill. Human rights is just one of many issues that we need to debate and deal with concerning our relationship with China. The list is long: Weapons proliferation, forced abortion, religious persecution, organ transplants, democracy in Hong Kong, Tibet, trade, and others. The bill is just one step down a very long road that we must take if we want to get to the point where the United States and China have truly normal relations.

I urge all of my colleagues to cast a proud vote for H.R. 2358, to authorize additional funding for human rights monitoring in China. Wei Jingsheng, one of the most prominent imprisoned Chinese dissidents, has had his writings from prison published in a book entitled "The Courage to Stand Alone." He has been in prison for the crime of advocating human rights and democracy in China, nothing more radical or outlandish than that. Listen to what he has to say about human rights.

He said: Human rights themselves have objective standards which cannot be subjected to legislation and cannot be changed by the will of the Government. He said: They are common objective standards which apply to all governments and all individuals, and no one is entitled to special standards.

Let us today hold the Chinese Government to the same standards we hold every country in the world to. Let us

not make a special dispensation for this country because of the fact that we think there are 2 billion eyes to watch American movies or 1 billion mouths to drink American soft drinks.

When democracy comes to China, let the record show that America firmly and constantly stood and argued for the cause of human rights and freedom. When the day of reckoning comes, when freedom rings out throughout that great land, let people say, America stood for the cause of right; Americans did not let their economic self-interest blind them in our cause.

I urge Members to join with me in voting for this bill to honor the Jeffersonian legacy and all those who sacrificed their lives for it, to refute the belief of the Chinese Government that we are not serious about human rights, and to make sure that Wei and others do not stand alone, that every person in the United States stands beside them every day.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. SALMON].

Mr. SALMON. Mr. Speaker, I think the American people have been treated to a really special opportunity today because we have been able to see Members from virtually across the political spectrum in this place come together on such a crucial issue, to express care and concern about one of the most fundamental rights that we hold, and that is the ability to worship according to the dictates of your conscience and to speak out according to your beliefs. I am really pleased to be here today to support this piece of legislation.

The 21-gun salute is over. The state dinner is over. The press events at Independence Hall in Colonial Williamsburg are over. China wanted to achieve a new image in the West as a result of this summit, but Americans had a different plan in mind. Through their protests, they sent a different message to the Chinese leadership.

It reminds me of the message that President Reagan delivered to Mikhail Gorbachev in Geneva in 1958. Natan Sharansky tells the story in his wonderful book "Fear No Evil." He says Reagan told Gorbachev that the Soviet Union would not change its image in the world until he let Sharansky go.

So it is with China. The photos at the White House or at Harvard will not give China the respect and the superpower status that they seek. Rather, freeing Chinese political prisoners, freeing Wei Jingsheng and Wang Dan, freeing other Chinese who are in prison merely for voicing their opinions or worshipping their God, in sum, only by ending the laogai can the Chinese leadership achieve world respect, status, and, one day, admiration. Until then, we stand not with the Government of China but we stand with the people of China.

I yield to the gentleman from California (Mr. Dreier).

Mr. DREIER. Mr. Speaker, I would like to congratulate my friend, the

gentleman from Arizona [Mr. SALMON], for his leadership of one of the most brilliant parts of this measure, taking the Helsinki concept, the CSCE concept on human rights, and applying that here. And working with my friend, the gentleman from Illinois [Mr. PORTER], and others, we have gone a long way in this measure.

The NED provisions which my friend from Florida mentioned are important, and getting the business community focused on business, and getting our Government to focus on this human rights issue is very, very helpful. I would like to congratulate my friend.

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes and 30 seconds to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I want to congratulate all of the Members who came together to find our common ground to speak out for promoting human rights and freedom in China and Tibet. I particularly want to commend the gentlewoman from Florida [Ms. ROS-LEHTINEN] for her initiative in presenting this very important legislation that we have before us which would provide funding to increase the monitors to monitor human rights violations in China.

Mr. Speaker, those who oppose some of the efforts that we have been putting forth to promote human rights in China have said that our efforts will isolate China, that we want to isolate China. Nothing could be further from the truth.

I have the privilege of representing San Francisco. A large number of people in my district are Chinese Americans. They are just like the rest of Americans, they are not a monolith. They all do not agree on the tactics of using MFN, but they all agree that a freer China will make the world safer, and that is something that we all must work and strive for.

That is why I was so very disappointed last week when, in preparation for Jiang Zemin's visit, President Clinton, in his speech laying out his plan for U.S.-China relations, put forth six areas of profound interest between our two countries: the environment, trade, fighting narcotics, et cetera. But he did not include promoting a freer China or human rights in China or promoting democratic freedoms as one of those areas of profound interest.

I think the last week has demonstrated, with the protests, et cetera, that although that might not have been a priority in the President's speech, it is a priority for the American people. And the Ros-Lehtinen legislation today will help us promote human rights in China.

□ 1815

The administration, instead, chose to roll out the red carpet to the head of the regime that rolled out the tanks in Tiananmen Square. They gave a 21-gun salute to the leader of the military that proliferates weapons of mass destruction and brutally occupies Tibet.

And they toasted at a dinner, they toasted the man who controls the torture of Wei Jingsheng and many other political prisoners of conscience and religious prisoners, as well.

When President Jiang was here, some of us had the opportunity to meet with him. And in that meeting, he denied that there was any political repression in China, that there was not any harvesting of organs for profit, it was just a rumor, when that is well documented, that there is religious freedom clearly blossoming in China. And I presented him something that I will refer to later, the religious freedom legislation, a letter from Ignatius Cardinal Kung asking him to free the Catholic bishops who have been sent to prison or to labor camps. He denied categorically that China had every proliferated weapons of mass destruction.

While President Jiang was in the state of denial and calling all of this just rumor, political prisoners were suffering in China. We must monitor that. While he was denying that this was taking place, prisoners of conscience were suffering in China. We want the message to go out to them that their suffering and their courage and their determination to promote a freer China is shared by Americans who promote Democratic values throughout the world. And this additional funding for monitoring will help to document, so that the American people will know and that we can say to the president when he denies it is happening, President Jiang, who denies it happens, we know and the prisoners know that we care about them.

I urge my colleagues to support this legislation.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 4½ minutes to the gentleman from California [Mr. COX], who is the architect of the package of bills before us today and tomorrow stating the policy of the United States Congress regarding China's abuses.

Mr. COX of California. Mr. Speaker, I thank the gentlewoman from Florida [Ms. ROS-LEHTINEN], author of the bill, for yielding me time.

It has been a pleasure to work with my colleagues in the majority and minority parties on such an important measure that is not just a sense of the Congress resolution, that does not just express outrage, it is not just a cry of pain, but rather, that does something, something within our control. We can, and we will as a result of this legislation, keep track of what is going on in the People's Republic of China as never before.

As my colleague the gentlewoman from California [Ms. PELOSI] has just pointed out, when President Jiang visited with us and when we breakfasted here with him in the Capitol, he simply denied that there were human rights problems in the People's Republic of China. He told a nationwide TV audience, "China does not feel that it has done anything wrong in the field of human rights." And yet, we know from

the Clinton administration's report, which has been cited several times on the floor during this debate, that exactly the opposite is true.

Not only has the human rights situation not been improving as a result of or in connection with or coincidence with our policy of engagement, it has been getting worse. Quoting, from the Clinton State Department's report, "The authorities stepped up efforts to cut off expressions of protest or criticism. All public dissent against the party," that is the Communist Party, the only party permitted in the People's Republic of China, "and the Government was effectively silenced."

We are discussing this legislation and the need for it immediately in the wake of President Jiang's visit. And it is fair to ask whether anything happened at the summit that militates now against this initiative or whether this initiative will jeopardize any of the summit's accomplishments. That requires us to pierce the fog of the summit's atmospherics and realistically assess its concrete results.

In this respect, the remarks of my colleagues who spoke immediately prior to me make it very, very clear that, yes, President Jiang, just as conventional wisdom holds, had a successful summit. He stuck to his agenda. He got his way. But the people of China, particularly the political prisoners of China, particularly those few whose human rights cases have been so visibly raised and so consistently raised by the United States that we expected perhaps in the glow of the summit they might win their release, got precisely nothing. For Wang Dan, for Wei Jingsheng, this was not a successful summit at all.

Wei Jingsheng, whom some have called the father of Chinese democracy, was once, just like solidarity leader Lech Walesa, an electrician. But this son of a Communist Party official has spent most of his adult life in Communist Chinese prisons and reeducation camps.

In 1978, Wei posted his essays on freedom, his writings on freedom, written in large characters, on a stretch of masonry that became known as Democracy Wall. And in return, the Communist government sentenced him to 14 years in some of Communist China's worst prisons. Just 6 months before his final year in confinement, he was briefly released on the eve of the International Olympic Committee's deciding whether to let Beijing host the year 2000 Olympics. When the People's Republic of China lost its Olympic bid, Wei was immediately arrested again.

For nearly 2 years after that, he was held in secret detention without any specific charges. And finally, in 1996, Wei Jingsheng was given a show trial on shamelessly straightforward charges of writing in behalf of democracy. The Communist authorities kept the trial closed to the public and the press and even denied him the legal counsel offered by two United States

Attorneys General, one a Democrat, Nicholas Katzenbach and the other a Republican, Richard Thornburgh.

Today, Wei Jingsheng is 46-years-old. He suffers from heart disease and arthritis at this early age, he is my age, that caused him debilitating back pain. The last time his family saw him, he was unable to keep his head upright. As part of a campaign to break his spirit, the Communist authorities have cut off the heat to his solitary confinement cell in winter, kept him under lights to deny him sleep, and refused him medical attention.

This is the kind of abuse that we are after in this legislation. This is the reason that the Ros-Lehtinen bill is so important and the reason I am so proud to join with my colleagues, Republican and Democrat, in support of this legislation.

Mr. HASTINGS of Florida. Mr. Speaker, we continue to reserve our time in light of the fact that there may be additional speakers. Perhaps the gentlewoman from Florida [Ms. ROS-LEHTINEN] will continue to yield time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1½ minutes to our colleague the gentleman from Florida [Mr. SCARBOROUGH].

Mr. SCARBOROUGH. Mr. Speaker, I thank the gentlewoman from Florida [Ms. ROS-LEHTINEN] for yielding me the time and also for addressing such an important issue as human rights in China.

I heard the gentleman from California [Mr. COX] talk about Wei being sent to jail and brutally tortured for writing on behalf of democracy. This past week, I had the thrill of meeting Harry Wu, one of the great figures, along with Wei, fighting for democracy in the latter half of the 20th century. He characterized today's so-called engagement policy as basically no different from the appeasement policy in Munich.

We are feeding a communist giant. When you are talking about a communist giant, you have to know that this is a military giant. Forty-seven years ago we had a debate, who lost China? Pretty soon we will have another debate, who rebuilt communist China?

We have got to step forward with the moral courage and recognize once and for all that the greatest exports that will ever come from the United States of America are not military hardware or nuclear technology, but are the ideals of freedom, Jeffersonian democracy and the things that have made America great for over 200 years.

I hope today is a starting point where Republicans and Democrats, conservatives and liberals, can come together on this most vital issue of human rights in China and across the globe. We have a great opportunity.

A.M. Rosenthal, writing in the New York Times, said,

After World War II, much of the Western left edged off from the fight for human rights in communist countries. Conservatives looked away almost everywhere else. The losers were the people in the cells.

I hope that both sides can understand that we need to fight for freedom re-

gardless of whether we are conservatives or liberals.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

As one who has visited China three times this year, I join my colleagues in allowing that this is an appropriate measure for us to undertake. Because, clearly, there are matters ongoing that are vitally in need of our continuous observation, our continuous analysis, our continuing observation from the standpoint of what is necessary for us as legislators to undertake, and also to be able to assist in allowing that the State Department, through its actions, are able to undertake those things that are necessary to analyze the human rights violations and report them to us so that we may take appropriate action.

In that sense, Mr. Speaker, I stand along with our colleagues who have offered this measure in strong support of saying in the great hopes that it will bring us to a point whereby we may be in a better position when we are speaking with reference to United States-China relations.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1½ minutes to our colleague, the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Speaker, I rise in support of H.R. 2358, to provide for improved monitoring of human rights violations in the People's Republic of China. I compliment my colleague from Florida [Ms. ROS-LEHTINEN] for her leadership in this issue.

I especially support that amendment that calls on the People's Republic of China to stop harvesting and transplanting organs from prisoners. The organ harvesting program in China has meant millions of dollars to the Chinese military. The Chinese Government says organ harvesting involves criminals who voluntarily consent. The facts show otherwise. China's assertion that these are the facts makes a mockery of the international principles adopted after Nazi medical experiments were uncovered and outlawed.

No other country in the world at this time is known to use the organs of prisoners except for China and to take them in an involuntary fashion. They appear to have turned a chilling execution of thousands of people who did not even commit capital crimes into a multimillion dollar black market of a kind the world has never seen.

Accordingly, others have joined me in Congress to write to President Clinton and Secretary of State Albright noting that 4,000 people a year who are reportedly executed in China for committing minor crimes and they go from arrest to execution in order to harvest their organs for sale on the black market. This is not justice. This is murder for profit.

I hope my colleagues would join me in supporting the gentlewoman from

Florida [Ms. ROS-LEHTINEN] in this forward-thinking legislation, which is the most important human rights issue that we will face in the 105th Congress. This is a bipartisan piece of legislation that should enjoy support of both sides of the aisle.

I would also ask my colleagues to join me in signing a letter to the Chinese Ambassador asking him to take swift action against this practice of harvesting organs from prisoners.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I thank the gentleman from Florida [Mr. HASTINGS] for so kindly yielding me the time.

Let me thank the gentlewoman from Florida [Ms. ROS-LEHTINEN], the gentleman from New York [Mr. SOLOMON], the gentleman from California [Mr. DRIER], and so many of my colleagues, including the gentleman from Arizona [Mr. KOLBE], the gentleman from Arizona [Mr. SALMON], the gentleman from California [Mr. MATSUI], the gentleman from New Jersey [Mr. SMITH], and the gentleman from New York [Mr. GILMAN], all who have participated in creating some of the concepts that have been embodied in this legislation.

We began meeting earlier this year, convinced that the annual debate on MFN had ceased to provide any positive results in terms of China policy and desiring to fashion a package of tools that were better equipped to address specific problems that we saw in U.S. policy toward China and better geared toward promoting the values that we hoped to see take root in that country. These ideas have been mostly incorporated in this legislation and I think will go a long way toward getting a true engagement with China, not just a debate within the Congress, but a true engagement that has the potential of truly changing Chinese society.

It represents a great step forward in changing the nature of congressional discussion of U.S.-China policy. It makes efforts that mark a new and more mature debate on the important policy and the impact of our relations with China. I have been and continue to be an outspoken critic of those Chinese government policies and actions which constrain the people of China or threaten U.S. interests.

An abysmal human rights record, a belligerent attitude toward neighboring countries, a penchant for disregarding obligations under domestic and international law, a widespread and endemic system of corruption and cronyism, a willingness to arm rogue regimes with weapons of mass destruction, these are the characteristics of the Chinese regime that disturb and alarm the Congress and the American people.

□ 1830

As I said before and set out with my colleagues to do with H.R. 2195, Congress must address these issues with

ideas and options which look to the specific problem and seek an appropriate solution. Efforts to withdraw MFN trading status from China do not meet these goals. It is a blunt instrument that is not directly related to the problems we seek to address, and most significantly, with the Senate and the President opposed, MFN would never be withdrawn in any event, and MFN withdrawal is therefore what I consider to be a dead-end policy option which will never actually effect change in Chinese society.

The package of bills before Congress tonight has the potential to do so and I believe should be commended to every Member. I believe that the committee of jurisdiction, International Affairs, has done an excellent job in fashioning this package. I commend this effort and everyone who has been involved in it. I am proud to stand on the floor of the House today and send a strong message that Congress cares about American values and about promoting those values abroad.

By increasing funding for democracy activities, expanding monitoring of human rights abuses, intensifying efforts to broadcast information into China, denying visas to Chinese who flaunt international law or American values, expressing our support for the free and democratic government of Taiwan, promoting contact between agents of change in Chinese society and their American counterparts, and expecting United States businesses in China to be a force for positive change, we are directly addressing these problems with proactive solutions. We are taking concrete steps to promote American values that have a proven track record of success—democratic self-governance, rule by laws created with the consent and active participation of the people, freedom and individual liberties.

Today, we will begin in a new debate on China. I am hopeful that it will yield positive results on all sides. I urge all of my colleagues to support H.R. 2358 and the rest of this legislative package.

While it is not perfect it is an important step and one that we must take if we hope to welcome the day that China becomes part of the community of peaceful, democratic, law-abiding nations. That is a day all Americans—and I suspect, most Chinese—look forward to.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. SMITH], who has been the leader on the Subcommittee on International Operations and Human Rights, talking about the many abuses of the Chinese regime, especially in relation to Chinese slave products.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentlewoman for yielding me this time. I want to congratulate the distinguished gentlewoman for this legislation and her strong human rights leadership in this House.

H.R. 2358, Mr. Speaker, addresses the important question as to whether the cornerstone of our foreign policy should be the promotion of universally recognized human rights. Looking at the State Department budget, and my subcommittee oversees on the author-

izing side the State Department budget, we see that the Bureau of Democracy, Human Rights and Labor has 52 employees and a budget of just over \$6 million. By way of contrast, the Public Affairs Office is about twice as large, with 115 employees and a budget of over \$10 million. Even the Protocol Office has 62 employees, 10 more employees than the whole Human Rights Bureau. Each of the six regional bureaus has an average of 1,500 employees. These are the bureaus the Human Rights Bureau sometimes has to contend with in ensuring that human rights is accorded its rightful priority against competing concerns, and they have a combined budget of about \$1 billion, or about 160 times the budget of the Human Rights Bureau.

This gross disparity in resource allocation is not only a poignant symbol of the imbalance in our foreign policy priority, it is also an important practical consequence. It has practical consequences. For instance, Washington officials from the regional bureaus develop their expertise by taking frequent trips to the regions in which they specialize. Officials in the Human Rights Bureau, however, below the rank of Deputy Assistant Secretary almost never have the budgets for such trips.

It is an unfortunate fact of life that we usually get what we pay for, and it appears that the American taxpayers are paying for more State Department protocol and public relations and less for human rights. By adding \$2.2 million in each of the next 2 fiscal years for monitoring human rights in the People's Republic of China, this bill will help to redress the terrible imbalance in the current State Department budget.

Let me also point out, and I appreciate the earlier comments of the distinguished gentleman from Missouri [Mr. GEPHARDT], the minority leader, when he quoted from Wei Jingsheng, that great human rights champion in the People's Republic of China, who today is languishing in a gulag in Laogai because of his strong beliefs. I met with Wei when he was let out to try to procure the Olympics 2000 for the Chinese dictatorship. They thought that symbolic gesture would garner that for them. He was only out for a couple of weeks, several weeks. I met with him, talked to him for about 3 hours. Two weeks later or so he met with Assistant Secretary of State for Human Rights and Democracy John Shattuck. The next day after meeting with the point person for the Clinton administration on human rights, Wei Jingsheng was grabbed off the streets and thrown into prison, and he is there now, unfortunately suffering. We know that he has been beaten. At one point he was beaten so bad he could not even raise his head, and his sister and others who care deeply for him fear for his life.

We need greater monitoring. We need more surveillance to know what is

going on. One or two people designated in Beijing or Shanghai or elsewhere is not adequate for the test.

Let me also say I am very appreciative to the gentlewoman from Washington, Mrs. LINDA SMITH, for her language that she has added to this bill with regard to the organs that are used from executed prisoners. Let me just say we have had two hearings on that in my subcommittee. It is a horrific reality. We need to rein in on it, and we need, I think, do everything possible to shut down that gruesome process.

Mr. HAMILTON. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this bill authorizes \$2.2 million for each of the next 2 years to support U.S. Embassy and consulate personnel to monitor political repression in China. I think it is a constructive bill. This is one of the bills in this package of nine that I will support. I think it sends the Chinese a signal that we care very deeply about human rights, that human rights will be a major component in our relationship with China.

I will tell my colleagues that the administration has some reservations about this bill. They consider it duplicative and unnecessary, but I do think it is a constructive, positive bill. I commend the gentlewoman from Florida for sponsoring it and pushing it forward and for others who have spoken in support of it. I intend to vote for this bill. I urge my colleagues to do the same.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank the gentlewoman for yielding me this time and for her leadership and all my colleagues who have worked so hard to see that we not only export goods from this country, but that we export goodness and morality. De Tocqueville said America is great because America is good.

Somewhere in China, there are people just like the person that the gentleman from New Jersey [Mr. SMITH] just described who are in cramped prison quarters, some of whom have been tortured, some of whom are right now undergoing physical pain. The administration said we should engage with China to see to it that we move China from this repressive situation to one in which people are allowed to dissent without being incarcerated, without being hurt, without being subdued by the military force.

This is engagement. It is not right to ask a businessman who is about ready to close a business deal at the same time to bring up the problem that a dissident has in a particular prison. He is not going to do that. He needs to close a deal, he needs to get the check, he needs to get the money. It is important to have personnel who are assigned to this monitoring task solely, who can really focus and really specify.

This is an excellent bill. I support it fully.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentlewoman from Florida [Ms. ROS-LEHTINEN] is recognized for 1 minute.

Ms. ROS-LEHTINEN. Mr. Speaker, this bill does more than send a message to the repressive Chinese regime. It puts respect for human rights at the forefront of our discussions with Chinese officials. It forces our own Government to recognize that these values that we hold so dear and which have helped in forging our democracy, which are free speech, freedom to worship, freedom of assembly, those values will be part, an important part, an essential part of our foreign policy.

We cannot continue to sweep these issues of the violations of human rights aside merely because they are uncomfortable for us to discuss with the Chinese. If we ignore these violations, the political dissidents, the opposition in China, will suffer even more oppression. Let us be their voice today. Let us celebrate democracy, human rights and freedom for the Chinese people by supporting this bill, and indeed the entire package of bills before us.

In summation, I ask that we do what is right; what is just; what we know we must do. I ask that you support H.R. 2358.

Others may choose to ignore the pleas and cries of anguish of the Chinese people, but the United States Congress must not.

The United States Congress must send a clear message to the Chinese regime and to the world that it will defend the rights of all people to be free of oppression, of subjugation, of persecution.

The U.S. Congress must stand firm in the face of dictators and declare its support for those who cannot speak for themselves. The United States Congress must stand up to China's Communist regime—not just with rhetoric, but with concrete actions.

We must tell the Chinese regime that the United States Congress will not sit on the sidelines any longer; that we are ready to take the necessary steps to help bring an end to the atrocities and violations of human rights and basic liberties.

H.R. 2358 is the tool. It is the action supporting the message.

To summarize, H.R. 2358 assigns new diplomats to American embassies and consulates for the exclusive purpose of monitoring human rights in China.

H.R. 2358 denies entry into the United States to any Chinese official found to be involved in the trafficking of human organs from political prisoners in China.

The bill increases the number of legislative days to review the President's required certification that China is complying with the agreement for nuclear cooperation. It would also require a Congressional vote of approval for the certification.

H.R. 2358 requires State Department officials to raise human rights concerns in every meeting with Chinese officials.

Adds \$10 million in funding for National Endowment for Democracy projects in China.

Calls on the State Department to issue an annual report on the human rights situation

and to establish a Prisoner Information Registry for China.

It supports the continuation of democratic freedoms for the people of Hong Kong.

In essence, H.R. 2358 is a comprehensive bill which includes the contributions of several of my distinguished colleagues. I thank them for their commitment and dedication to the issue of human rights in China, and for their ongoing courage to stand up for what is right.

As you cast your vote, I want you to think of the people of China; think about the political prisoners and the persecuted.

I want you to think about the values that have made this country great—about the sense of humanity that has guided us through the history of the Republic. The United States has a responsibility as the post-cold war leader to set the example for others to follow.

We can set a positive example right now. I urge you to support H.R. 2358.

The SPEAKER pro tempore. All time for general debate has expired.

It is now in order to consider the further amendment specified in part 1-B of House Report 105-379.

AMENDMENT OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Gilman:  
Convert the existing provisions of the bill to a TITLE I, and add at the end the following:

#### TITLE II—AGREEMENT ON NUCLEAR COOPERATION

(A) AMENDMENT TO JOINT RESOLUTION RELATING TO AGREEMENT FOR NUCLEAR COOPERATION.—The joint resolution entitled "Joint Resolution relating to the approval and implementation of the proposed agreement for nuclear cooperation between the United States and the People's Republic of China (Public Law 99-183; approved December 16, 1985) is amended—

(1) in subsection (b)—  
(A) by inserting "and subject to section 2," after "or any international agreement,"; and  
(B) in paragraph (1) by striking "thirty" and inserting "120"; and

(2) by adding at the end the following:  
"SEC. 2. (a) ACTION BY CONGRESS TO DISAPPROVE CERTIFICATION.—No license may be issued for the export to the People's Republic of China of any nuclear material, facilities, or components subject to the Agreement, and no approval for the transfer or re-transfer to the People's Republic of China of any nuclear material, facilities, or components subject to the Agreement shall be given if, during the 120-day period referred to in subsection (b)(1) of the first section, there is enacted a joint resolution described in subsection (b) of this section.

"(b) DESCRIPTION OF JOINT RESOLUTION.—A joint resolution is described in this subsection if it is a joint resolution which has a provision disapproving the President's certification under subsection (b)(1), or a provision or provisions modifying the manner in which the Agreement is implemented, or both.

"(c) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS.—  
"(1) REFERENCE TO COMMITTEES.—Joint resolutions—  
"(A) may be introduced in either House of Congress by any member of such House; and  
"(B) shall be referred, in the House of Representatives, to the Committee on Inter-

national Relations and, in the Senate, to the Committee on Foreign Relations.

It shall be in order to amend such joint resolutions in the committees to which they are referred.

"(2) FLOOR CONSIDERATIONS.—(A) The provisions of section 152(d) and (e) of the Trade Act of 1974 (19 U.S.C. 2192(d) and (e)) (relating to the floor consideration of certain resolutions in the House and Senate) apply to joint resolutions described in subsection (b).

"(B) It is not in order for—  
"(i) the House of Representatives to consider any joint resolution described in subsection (b) that has not been reported by the Committee on International Relations; and

"(ii) the Senate to consider any joint resolution described in subsection (b) that has not been reported by the Committee on Foreign Relations.

"(c) CONSIDERATION OF SECOND RESOLUTION NOT IN ORDER.—It shall not be in order in either the House of Representatives or the Senate to consider a joint resolution described in subsection (b) (other than a joint resolution described in subsection (b) received from the other House), if that House has previously adopted such a joint resolution.

"(d) PROCEDURES RELATING TO CONFERENCE REPORTS IN THE SENATE.—

"(1) CONSIDERATION.—Consideration in the Senate of the conference report on any joint resolution described in subsection (b), including consideration of all amendments in disagreement (and all amendments thereto), and consideration of all debatable motions and appeals in connection therewith, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees. Debate on any debatable motion or appeal related to the conference report shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report.

"(2) DEBATE ON AMENDMENTS IN DISAGREEMENT.—In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment to any amendment in disagreement shall be received unless it is a germane amendment.

"(3) CONSIDERATION OF VETO MESSAGE.—Consideration in the Senate of any veto message with respect to a joint resolution described in subsection (b), including consideration of all debatable motions and appeals in connection therewith, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees."

The SPEAKER pro tempore. Pursuant to House Resolution 302, the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON] each will control 15 minutes.

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

Mr. GILMAN. Mr. Speaker, I yield 7½ minutes to the gentleman from Massachusetts [Mr. MARKEY] and ask unanimous consent that he may be permitted to yield that time to other Members.

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

There was no objection.

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

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, the President has announced his intention to submit to Congress the certification necessary to implement the 1985 United States-China Nuclear Cooperation Agreement, thereby enabling the People's Republic of China to obtain United States nuclear technology. No United States President, not President Reagan nor Bush, and until now not President Clinton, has made such a certification. Why? Because Communist China's nuclear, chemical, biological and missile proliferation makes it the Wal-Mart of international commerce. China's record is not only reprehensible, it mocks repeated assurances to our Nation that it would stop proliferating to countries such as Pakistan and Iran.

In that regard, I urge all Members to examine the compendium I am placing in the RECORD, a compendium dated November 4, 1997, detailing China's nuclear nonproliferation promises from 1981 through 1997. Yet despite promises and subsequent violations of those promises, the Clinton administration is willing to open the door to China for critical United States nuclear assets.

Moreover in the wake of last week's summit, we have heard nothing that gives us confidence that the Chinese are willing to provide ironclad, enforceable assurances that any promises with regard to the transfer of nuclear technology to Iran would be kept.

Permit me, Mr. Speaker, to describe the possible shortfalls in the agreement negotiated by the Clinton administration in order to begin nuclear commerce with China. The Chinese have pledged only to halt new nuclear cooperation with Iran, thereby allowing continued cooperation between China and Iran on at least two existing contracts. Moreover, a possible loophole in the Chinese pledge could permit the resurrection of a contract that has been suspended, but not canceled to build a uranium enrichment facility in Iran since that contract would not fall into the category of any new nuclear cooperation.

The administration made no headway with the Chinese on conditioning nuclear cooperation with Pakistan or with any other country besides Iran, and the administration did not secure any agreement with China that would halt the transfer of nuclear-capable missiles to Iran or to other countries.

Mr. Speaker, because of these and other concerns, I have joined with the distinguished gentleman from Massachusetts [Mr. MARKEY] to introduce this amendment which achieves two important goals. It extends from 30 to 120 days the time for Congress to review the President's certification to China. It also establishes expedited procedures in the House and Senate for consideration of a resolution of disapproval of that certification or further modifications to the 1985 agree-

ment should that prove necessary. Our legislation ensures that the Congress has adequate time to examine China's record of compliance with its nonproliferation commitments, particularly its pledge to provide no new nuclear assistance to Iran and to take appropriate legislative action if that is deemed necessary.

Mr. Speaker, we stand at a critical juncture with respect to our nonproliferation policy toward China. Implementing a nuclear cooperation agreement is not a step that should be taken lightly with any nation. With China, it is vital that we get it right the first time. Accordingly, I urge my colleagues to adopt this amendment and to adopt the underlying bill.

Mr. Speaker, the text of the compendium referred to in my remarks is as follows:

"The question of assurance does not exist. China and Iran currently do not have any nuclear cooperation . . . We do not sell nuclear weapons to any country or transfer related technology. This is our long-standing position, this policy is targeted at all countries." Foreign Ministry spokesman Shen Guofang, Los Angeles, 11/2/97, Reuters, 11/3/97.

"We don't have to take it on faith . . . We received clear-cut, specific assurances." Senior US official, AFP, 10/31/97 (referring to China's vow not to commence new nuclear cooperation with Iran.)

China will . . . not help other countries develop nuclear weapons. At the same time, China also holds that *prevention of nuclear proliferation should not affect international cooperation on the peaceful use of nuclear energy*. The US administration is clear on this point and so is the international community." Foreign Ministry spokesman Tang Guoqiang, Beijing, 10/30/97, Ta Kung Pao, 10/31/97 (emphasis added).

"President Jiang and I agreed that the United States and China share a strong interest in stopping the spread of weapons of mass destruction and other sophisticated weaponry in unstable regions and rogue states; notably, Iran. I welcome the steps China has taken and the clear assurances it has given today to help prevent the proliferation of nuclear weapons and related technology." President Bill Clinton, press conference, Washington, D.C., 10/29/97.

"In May 1996, China committed *not to provide [unsafeguarded nuclear] assistance to . . . Pakistan or anywhere else*. We have monitored this pledge very carefully over the course of the last 16, 18 months, and the Chinese appear to be taking their pledge very seriously. We have no basis to conclude that they have acted inconsistently with this May 1996 commitment. Also, the Chinese have provided assurances with respect to nuclear cooperation with Iran. What *they have assured us is that they . . . are not going to engage in new nuclear cooperation with Iran*, and that they will complete a few existing projects, and these are projects which are not of proliferation concern. They [will] complete them within a relatively short period of time . . . the assurances we received are . . . sufficiently *specific and clear* to meet the requirements of our law and to advance our national security interests, and they are in the form of writing. They're written, confidential communications . . . I would call them *authoritative, written communications* . . . Today was when the final exchange took place . . . We will make [them] available to members of Congress in confidence, because these are confidential diplomatic communications, an opportunity to read and judge

for themselves these written assurances that we've been given . . . [Q] assurances specifically—different countries, specifically, say, Iran, Pakistan? . . . [A] Yes, just Iran . . . they have safeguarded peaceful nuclear cooperation with both *Pakistan and India*, and they told that at this particular point, *they're not prepared to suspend those projects* . . . The President made very clear to him that this was an essential requirement; we needed to have this assurance on Iran, or there could be no certification . . . [Q] Who is the assurance addressed to? [A] We're not going to discuss the . . . specifics of the issue. [Q] Is it in a letter, though, that's addressed to someone in particular in the U.S. government? [A] It's an authoritative, written communication." Senior Administration Official, press briefing, The White House, 10/29/97, emphasis added.

"We have received assurances from the Chinese that they will not engage in any new nuclear cooperation with Iran, and that the existing cooperation—there are two projects in particular—will end. That is the assurance we have received. As to the form of that assurance, we will be discussing that with Congress . . ." Sandy Berger, National Security Advisory, press conference, 10/29/97.

"The United States and China reiterate their commitment not to provide any assistance unsafeguarded nuclear facilities and nuclear explosion programs." Joint U.S.-China Statement, The White House, 10/29/97.

"China has taken new, concrete steps to prevent nuclear proliferation that threaten the interests of both countries. China has . . . Provided assurances addressing U.S. concerns about nuclear cooperation with Iran . . ." White House Fact Sheet, "Accomplishments of US/China Summit." 10/29/97.

" . . . I think we have reached a point where we're satisfied that we have the assurances that we need to have that China is not engaging, will not engage in assistance to states developing nuclear weapons, which would enable the President to go forward with the Peaceful Nuclear Energy Agreement of 1985." Senior White House official, press conference, Washington, D.C., 10/29/97.

"China adopts a cautious and responsible attitude toward nuclear exports. It has never transferred nuclear weapons or relevant technology to any other country. China's stand against nuclear weapons proliferation is consistent with clear-cut; that is, China has consistently opposed nuclear weapons proliferation. It does not advocate, encourage, or engage in nuclear weapons proliferation, nor has it helped other countries develop nuclear weapons. In the meantime, China takes the view that *the fight against nuclear weapons proliferation should not affect international cooperation on the peaceful use of nuclear energy*. The American side is well aware of the Chinese position on that." Foreign Ministry spokesman Tang Guoqiang, Beijing Central Peoples Radio, 10/28/97 (emphasis added).

"I wish to emphasize once again China has never transferred nuclear weapons or relevant technology to other countries, including Iran . . . China has never done it in the past, we do not do it now, nor will be do it in the future." Foreign Ministry spokesman Shen Guofang, Kyodo, 10/21/97.

" . . . China adheres to the policy that it does not advocate, encourage or engage in proliferation of nuclear weapons nor assist other countries in developing nuclear weapons. For many years the Chinese Government has exercised strict and effective control over nuclear and nuclear-related export, including exchanges of personnel and information, and has abided by the following three principles: (1) serving peaceful purposes only; (2) accepting IAEA safeguards; (3)

forbidding transfer to any third country without China's consent. With regard to any nuclear export, the recipient government is always requested to provide to the Chinese side an assurance in writing to acknowledge the above three principles and the export can proceed only after approval by relevant Chinese authorities . . . [regulations] strictly prohibit any exchange of nuclear weapons related technology and information with other countries . . . No [Chinese] agency or company is allowed to conduct cooperation or exchange of personnel and technological data with nuclear facilities not under IAEA safeguards . . . [these] regulations are applicable . . . also to all activities related to nuclear explosive devices . . . the Chinese side wishes to emphasize that *the prevention of nuclear proliferation should in no way affect or hinder the normal nuclear cooperation for peaceful uses among countries, let alone be used as an excuse for discrimination and even application of willful sanctions against developing countries.* The prevention of nuclear proliferation and peaceful uses of nuclear energy constitute the two sides of one coin . . . this is the consistent policy of China." Ambassador Li Changhe, Statement at Meeting of Zanger Committee, Vienna, 10/16/97 (emphasis added).

"China's position on nuclear proliferation is very clear . . . It does not advocate, encourage, or engage in nuclear proliferation, nor does it assist other countries in developing nuclear weapons. It always undertakes its international legal obligations of preventing nuclear proliferation . . . China has always been cautious and responsible in handling its nuclear exports and exports of materials and facilities that might lead to nuclear proliferation." Statement by Foreign Ministry spokesman Cui Tiankai, Beijing, Xinhua, 9/15/97.

"The state highly controls nuclear exports and strictly performs the international obligation on nonproliferation of nuclear weapons it has undertaken. The state does not advocate, encourage and engage in proliferation of nuclear weapons, and does not help other countries develop nuclear weapons. Nuclear exports are used only for peaceful purposes and are subjected to International Atomic Energy Agency's guarantee and supervision . . . The state prohibits assistance to nuclear facilities not subject to International Atomic Energy Agency's guarantee and supervision, and does not engage in nuclear exports or personnel and technological exchanges and cooperation with them." Regulations of the PRC on Control of Nuclear Exports, Xinhua, 9/11/97.

"Our country . . . has followed the policy of not advocating, not encouraging, and not engaging in the proliferation of nuclear weapons, and not helping other countries to develop nuclear weapons . . . all relevant agencies and units engaged in the activities of foreign economic trade must thoroughly implement our country's policy on nuclear exports; that is, not advocating, encouraging, or engaging in the proliferation of nuclear weapons and not helping other countries develop nuclear weapons; only using nuclear export items for peaceful purposes, accepting the International Atomic Energy Agency's safeguards and supervision, and not allowing the transfer of such items to third countries without our country's permission; and not giving assistance to the nuclear facilities of those countries that have not accepted the safeguards and supervision of the International Atomic Energy Agency . . . Nuclear material, nuclear installations and related technology, non-nuclear material used for reactors, and nuclear-related dual-use installations, material, and related technology . . . may not be supplied to or used by nuclear facilities that have not accepted the

International Atomic Energy Agency's safeguards and supervision. No unit or corporation is allowed to cooperate with nuclear installations that have not accepted the system of safeguards and supervision of the International Atomic Energy Agency, nor are they allowed to engage in exchanges of professional scientific and technical personnel and technological information . . ." Chinese State Council Circular No. 17, Beijing, 5/27/97 (translated by CRS).

" . . . we have absolutely binding assurances from the Chinese, which we consider a commitment on their part not to export ring magnets or any other technologies to unsafeguarded facilities . . . The negotiating record is made up primarily of conversations, which were detailed and recorded, between US and Chinese officials." Under Secretary of State Peter Tarnoff, congressional testimony, 5/16/96.

"Last week, we reached an understanding with China that it will no longer provide assistance to unsafeguarded programs . . . senior Chinese officials have explicitly confirmed our understanding the Chinese policy of not assisting unsafeguarded nuclear facilities would prevent future sales, future transfers of ring magnets." Secretary of State Warren Christopher, congressional testimony, 5/15/96.

"Being a signatory of the Nuclear Non-Proliferation Treaty, China strictly abides by its treaty commitments and has never engaged in any activities in violation of its commitments. China's position of opposing nuclear weapons proliferation is constant and unambiguous. China will, as usual, continue to honor its international commitments and play a positive role in maintaining regional and world peace and stability." Foreign Ministry spokesman Cui Tiankai, Zhonggwo Ximven She, 5/15/96.

"China strictly observes its obligations under the treaty and is against the proliferation of nuclear weapons. China pursues the policy of not endorsing, encouraging or engaging in the proliferation of nuclear weapons, or assisting other countries in developing such weapons. The nuclear cooperation between China and the countries concerned is exclusively for peaceful purposes. China will not provide assistance to unsafeguarded and unsupervised Chinese nuclear facilities." Foreign Ministry spokesman, Xinhua, 5/11/96.

"Shen Guofang is an official press officer of the Chinese government and he has said several times that China is not exporting nuclear arms material nor spreading nuclear arms. The Central Intelligence Agency of the United States, the CIA, has accorded to Shen made several mistakes. The claim that China is exporting so-called ring magnets to Pakistan is one of the CIA's mistakes, according to Shen." Interview with Chinese Shen Guofang, YLE Radio, Helsinki, 4/5/96.

"China has never transferred or sold any nuclear technology or equipment to Pakistan . . . We therefore hope the U.S. Government will not base its policy-making on hearsay." Foreign Ministry Deputy Secretary Shen Guofang, Hong Kong AFP, 3/26/96 (after the reported ring magnet sale to Pakistan).

"China, a responsible state, has never transferred equipment or technology for producing nuclear weapons to any other country. Nor, as a responsible state, will China do so in the future." Foreign Ministry spokesman, Xinhua, 2/15/96.

"China is a responsible country. We have not transferred, nor will we transfer to any country, equipment or technologies used in manufacturing nuclear weapons. As a signatory to the nuclear weapons non-proliferation treaty, China scrupulously abides by the treaty concerning international legal obligations toward the prevention of nuclear weap-

ons proliferation, and it does not advocate, encourage or engage in nuclear proliferation. While engaging in cooperation with other countries for the peaceful use of nuclear energy, China strictly abides by China's three principles on nuclear exports and accepts the safeguards and supervision of the International Atomic Energy Agency." Foreign Ministry spokesman Shen Guofang, Xinhua, 2/15/96.

"Foreign Ministry spokesman Shen Guofang today denied reports that China has transferred nuclear technology to Pakistan. He said that China carries out normal international cooperation with Pakistan and some other countries on the peaceful use of nuclear energy. The legitimate rights and interests of all countries in the peaceful use of nuclear energy should also be respected. China has constantly adopted a prudent and responsible toward the export of nuclear energy. It is totally groundless to say that China has transferred nuclear technology to Pakistan." Foreign Ministry spokesman Shen Guofang, as reported in *Ta Kung Pao*, 2/9/96 (follows 2/8/96 *Washington Times* story about China's transfer of ring magnets to Pakistan's unsafeguarded uranium enrichment plant).

"China has constantly stood for . . . pursuing a policy of not supporting, encouraging or engaging in the proliferation of nuclear weapons and assisting any other country in the development of such weapons . . . Since 1992 when [China] became a party to the [nuclear Non-Proliferation] treaty, it has strictly fulfilled its obligations under the Treaty, including the obligation to cooperate fully with the IAEA in safeguard application. China follows three principles regarding nuclear exports: exports serving peaceful purposes only, accepting IAEA safeguards . . . Only specialized government-designated companies can handle nuclear exports and in each instance they must apply for approval from relevant governmental departments. All exports of nuclear materials and equipment will be subject to IAEA safeguard. China has never exported sensitive technologies such as those for uranium enrichment, reprocessing and heavy water production." Information Office of the State Council of the PRC White Paper: "China: Arms Control and Disarmament", *Beijing Review*, 11/27/95.

" . . . there isn't any nuclear cooperation between China and Iran that is not under the safeguard of the International Atomic Energy Agency." Foreign Ministry spokesman Chen Jian, Xinhua, 9/26/95.

" . . . China as a State Party and particularly as a developing country with considerable nuclear industrial capabilities, strictly abides by the relevant provisions of the NPT to ensure the exclusive use [of such capabilities] for peaceful purposes . . ." Ambassador Sha Zukang, NPT Extension Conference, at UN, 1/23/95.

"China does not engage in proliferation of weapons of mass destruction . . ." Foreign Minister Qian Qichen, AP newswire, 10/4/94.

"China is a signatory to the Nuclear Non-proliferation Treaty. We do not support or encourage nuclear proliferation, this has been a consistent position." Premier Li Peng, Beijing Central Television Program One, 3/22/94.

"[T]he Chinese government has consistently supported and participated in the international communities efforts for preventing the proliferation of nuclear weapons." Ambassador Hou Zhitong, address to the U.N. General Assembly, 10/21/92.

"[China] supports non-proliferation of nuclear weapons and other weapons of mass destruction." Foreign Minister Qian Qichen, at the U.N. Conference on Disarmament and Security Issues in the Asia-Pacific Region, 8/17/92.

"The reports carried by some Western newspapers and magazines alleging that China has provided Iran with materials, equipment, and technology that can be used to produce nuclear weapons are utterly groundless." Foreign Ministry spokesman, Xinhua, 11/4/91.

"China has always stood for nuclear non-proliferation, neither encouraging nor engaging in nuclear proliferation." Premier Li Peng, Xinhua, 8/10/91.

"The Chinese Government has made it clear that it adheres to a nuclear non-proliferation policy. This means that China does not support, encourage, or engage in nuclear proliferation. We said so and have done so, too." Premier Li Peng, interview with Iranian and Chinese journalists, *Renmin Ribao*, 7/10/91.

"China has struck no nuclear deals with Iran . . . This inference is preposterous." Chinese embassy official Chen Guoqing, rebutting a claim that China had sold nuclear technology to Iran, letter to *Washington Post*, 7/2/91.

"The report claiming that China provides medium-range missiles for Pakistan is absolutely groundless. China does not stand for, encourage, or engage itself in nuclear proliferation and does not aid other countries in developing nuclear weapons." Foreign ministry spokesman Wu Janmin, *Zhongguo Ximwen She*, 4/25/91.

"China's position is clear cut, that is, China won't practice nuclear proliferation. Meanwhile we are against the proliferation of nuclear weapons by any other country. . . ." Premier Li Peng, Xinhua, 4/1/91.

" . . . the Chinese Government has consistently supported and participated in the international community's efforts for preventing the proliferation of nuclear weapons." Ambassador Hou Zhitong, Xinhua, 10/24/90.

"China seeks a policy of not encouraging or engaging in nuclear proliferation and not helping any country develop the deadly weapons." Ambassador Hou Zhitong, Xinhua, 9/12/90.

"China has adopted a responsible attitude [on nuclear cooperation], requiring the recipient countries of its nuclear exports to accept IAEA safeguards and ensuring that its own nuclear import is for peaceful purposes." Foreign Minister Qian Qichen, Xinhua, 2/27/90.

"China does not advocate, or encourage, or engage in nuclear proliferation and would only cooperate with other countries in the peaceful application of nuclear energy." Foreign Minister Qian Qichen, *Renmin Ribao*, 9/15/89.

"China, though not a [NPT] signatory, has repeatedly stated that it abides by the principles of nuclear nonproliferation." Xinhua, 5/9/89.

"As everyone knows, China does not advocate nor encourage nuclear proliferation. China does not engage in developing or assisting other countries to develop nuclear weapons." Foreign Ministry spokesman, Beijing radio, 5/4/89.

"The cooperation between China and Pakistan in the sphere of nuclear energy [is] entirely for peaceful purposes. The relevant agreements signed between the two countries consist of specific provisions guaranteeing safety. The allegations that China has been assisting Pakistan in the field of nuclear weapons . . . are completely groundless . . ." Foreign Ministry spokesman Li Zhaoxing, Beijing Radio, 1/19/89.

"[Secretary of Defense Frank] Carlucci said Chinese leaders emphasized that they would never sell nuclear weapons to foreign nations. . . ." *Washington Post*, 9/8/88.

"China does not advocate or encourage nuclear proliferation, nor does it help other

countries develop nuclear weapons." Vice Foreign Minister Qian Qichen, Beijing Review, 3/30/87.

"The State Department and its allies insist that the negotiators made no such concessions. They argue that despite the text of the [US/China nuclear] agreement, they have obtained private assurances from the Chinese that Beijing will cooperate with unwritten American expectations. In particular, the chief American negotiator, Special Ambassador Richard T. Kennedy, has prepared a classified 'Summary of Discussions,' in which he asserts that the Chinese have provided further pledges to reform their nuclear export policies. Touting these unwritten, unofficial assurances, he claims that the China pact would not compromise our vigilance against the spread of nuclear weapons." *The New Republic*, 11/25/85, p. 9.

"Since that time [1983], we have received assurances from them [the Chinese government] and we have seen nothing, and there is no evidence, that indicates that they are not abiding by the assurances that they have provided us." Deputy Assistant Secretary of State James R. Lilley, congressional testimony, 11/13/85.

"The People's Republic of China has clearly indicated that it shares our concerns about any nuclear weapons proliferation. . . ." Secretary of Energy John S. Herrington, congressional testimony, 10/9/85.

"The Chinese made it clear to us that when they say they will not assist other countries to develop nuclear weapons, this also applies to all nuclear explosives. . . . We are satisfied that the [nonproliferation] policies they have adopted are consistent with our own basic views." Ambassador Richard Kennedy, Department of State, congressional testimony, 10/9/85.

"The Chinese have also made a number of high-level policy statements, and I would emphasize that these were high-level policy statements and not mere toasts tossed off in haste and casually. These clearly set forth their position that they are opposed to the spread of nuclear weapons and do not assist or encourage others to develop weapons." Assistant Secretary of State Paul Wolfowitz, congressional testimony, 10/9/85.

"Since negotiations began on the proposed agreement, China has made significant new statements on its nonproliferation policy. . . . These statements show that China is opposed to the spread of nuclear explosives to additional countries." Ambassador Richard Kennedy, Department of State, congressional testimony, 9/12/85.

"The People's Republic of China has clearly indicated that it shares our concerns about any nuclear weapons proliferation. . . ." Assistant Secretary of Energy George Bradley, congressional testimony, 9/12/85.

"The Chinese know that nuclear cooperation with us rests on their strict adherence to basic nonproliferation practices discussed and clarified at such great length." ACDA Assistant Director Norman A. Wulf, congressional testimony, 9/12/85.

"Our contacts with the Chinese . . . have demonstrated clearly that they appreciate the importance we attach to nonproliferation. We are satisfied that the policies they have adopted are consistent with our own basic views." Ambassador-At-Large Richard Kennedy, congressional testimony, 7/31/85.

"Over these past two years, the Chinese Government has taken a number of important nonproliferation steps. First, it made a pledge that it does 'not engage in nuclear proliferation' nor does it 'help other countries develop nuclear weapons'. The substance of this pledge has been reaffirmed several times by Chinese officials both abroad and within China. In fact, China's Sixth National People's Congress made this policy a

directive to all agencies of that large and complex government. As such, it constitutes a historic and positive change in China's policies." ACDA Director Kenneth Adelman, congressional testimony, 7/31/85.

"Energy Department sources said a key part of the administration's presentation to Congress would be a classified summary of a meeting between Li Peng and special US ambassador and nuclear negotiator Richard T. Kennedy in Peking in June. Kennedy was said to have 'nailed down' Chinese assurances that they will work to halt the spread of atomic weapons and will abide by all US safeguard requirements. The sources said Kennedy wrote the summary and 'showed it to the Chinese, and they said it's consistent with the way they view their policies.' Sen. Alan Cranston (D-Calif.) said he was promised that written assurances of the Chinese position would be included in the nuclear agreement package." "US and China Sign Nuclear-Power Pact," *Washington Post*, 7/24/85.

"A long-dormant nuclear cooperation agreement with China apparently has been rejuvenated by new written assurances from China on its commitment to control the spread of nuclear weapons, according to Senate and administration officials." "US-China Nuclear Pact Near: New Assurances Said Received on Control of Weapons," *Washington Post*, 7/22/85.

"Discussions with China that have taken place since the initialing of the proposed [nuclear] Agreement have contributed significantly to a shared understanding with China on what it means not to assist other countries to acquire nuclear explosives, and in facilitating China's steps to put all these new policies into place. Thus, ACDA believes that the statements of policy by senior Chinese officials, as clarified by these discussions, represent a clear commitment not to assist a non-nuclear-weapon state in the acquisition of nuclear explosives." ACDA, "Nuclear Proliferation Assessment Statement," submitted to Congress on 7/24/85 with the US/China Agreement for Cooperation, 7/19/85.

"China is not a party to the NPT, but its stance on the question is clear-cut and above-board. . . . It stands for nuclear disarmament and disapproves of nuclear proliferation. . . . In recent years, the Chinese Government has more and more, time and again reiterated that China neither advocates nor encourages nuclear proliferation, and its cooperation with other countries in the nuclear field is only for peaceful purposes." Ambassador He Qian Jiadong, speech given at the Conference on Disarmament in Geneva, 6/27/85 (quoted by Amb. Richard Kennedy in congressional testimony, 7/31/85).

"I wish to reiterate that China has no intention, either at the present or in the future, to help non-nuclear countries develop nuclear weapons. . . . China's nuclear cooperation with other countries, either at present or in the future, is confined to peaceful purposes alone." Vice Premier Li Peng, Xinhua, 1/18/85.

"We are critical of the discriminatory treaty on the nonproliferation of nuclear weapons, but we do not advocate or encourage nuclear proliferation. We do not engage in nuclear proliferation ourselves, nor do we help other countries develop nuclear weapons." Premier Zhao Ziyang, White House state dinner on 1/10/84, Xinhua, 1/11/84 (note: a US official later said that "These were solemn assurances with in fact the force of law," AP, 6/15/84).

"China does not encourage or support nuclear proliferation." Vice Premier Li Peng, Xinhua, 10/18/83.

"Like many other peace-loving countries, China does not advocate or encourage nuclear proliferation, and we are emphatically

opposed to any production of nuclear weapons by racists and expansionists such as South Africa and Israel." Yu Peiwen, head of Chinese delegation to Conference on Disarmament in Geneva, Xinhua, 8/4/81.

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

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

□ 1845

Mr. Speaker, I rise in opposition to this amendment. The Gilman-Markey amendment does two things, both of which I think retroactively move the goalposts in our nonproliferation negotiations with China.

The first thing it does, as the distinguished gentleman from New York said, is to extend the time for congressional consideration of the President's considerations from 30 to 120 days of continuous session. The second thing that it does is to provide for expedited procedures for consideration of a congressional joint resolution of disapproval.

Now what we have here is a statutory framework that we have had in existence for a number of years that sets out the procedure to be followed in these nonproliferation negotiations with China. As we come, so to speak, to the fourth quarter of the game, we are suddenly moving the goalposts, and I just do not think that is a good thing for us to do. The amendment retroactively moves the goalposts in our nonproliferation negotiations with China.

Now the second thing I think this amendment does is to delay the dialog with China. I think this amendment, even though it is couched in procedural terms, places at risk our ability to persuade the Chinese to move in our direction on a whole range of issues that separate our two countries. China is inevitably going to see this amendment as part of an attempt to delay or to defeat the President's certification regarding the United States-China nuclear agreement, and I do not think it is too difficult to guess how the Chinese will respond. Beijing will suspend its current nonproliferation dialog with us and thereby make further progress on these important issues virtually impossible.

The third point I would make is that I think current law, with the 30-day provision of continuous session, provides ample time to review the certification of the President. That review period will not expire under current law until February, and what that does is give us 4 months to review the certification.

So although on the surface this is a procedural amendment seeking more time and seeking an expedited procedure, I think in fact it will have deleterious impact on the substance of the matter. I do not think we should try to prejudge the nuclear agreement, we should judge it on its merits. There is a lot of inquiry that has to be made with respect to it. I think those inquiries

can be made within the 4-month period, and I do not think it is wise for the United States to put into law a framework, announce that to the world, so to speak, put that before the Chinese over a period of many years, and then, as we come to the final part of the consideration with the President's certification, suddenly say, we are changing the rules of procedure. That is not the way a responsible power should act.

I urge that this amendment be defeated.

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

Mr. MARKEY. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in favor of the Gilman-Markey amendment. We are all familiar with China's past proliferation record. Over the years, China has been the Wal-Mart of weapons of mass destruction for countries such as Iran and Pakistan. Over the years, China has perfected the game of promising the United States that it would stop its nuclear garage sales with a nudge and a wink to the Ayatollahs of the world. Last week, China scored the winning point in its game of nuclear "trick or treat." It got to take the treat and to play the trick. They got the treat of U.S. nuclear exports and the trick of assisting Iran and Pakistan to build the so-called Islamic bomb.

The President has announced that he will certify the 1985 nuclear cooperation agreement with China, claiming that China has been sufficiently moving forward and becoming a responsible member of the international nonproliferation community and is therefore deserving of access to American nuclear technology.

However, it was only this past June that the CIA had this to say about China: During the last half of 1996, China was the most significant supplier of weapons of mass destruction-related goods and technology to foreign countries. The Chinese provided a tremendous variety of assistance to both Iran and Pakistan's ballistic missile programs. Pakistan was very aggressive in seeking out equipment, material, and technology for its nuclear weapons program, with China as its principal supplier. China has repeatedly pledged to curb its habit of providing nuclear missile, chemical, and biological weapons to countries such as Iran and Pakistan, but China has repeatedly broken its pledges.

The nuclear cooperation agreement was negotiated in 1985, but it has not been implemented because no President has been able to meet the congressionally mandated conditions associated with its implementation which include Presidential certification that China has become a responsible member of the international nonproliferation community. I do not believe that this was the case in 1985, and I do not believe that it is now.

A 1985 AP story about the agreement pointed out that the Reagan adminis-

tration had relied upon a verbal statement sealed by a champagne toast to conclude the agreement, and we all know how well China lived up to that solemn pledge. And now we find ourselves in what might be an identical situation. The administration says it got some verbal nonproliferation commitments from China and some written commitments that no one has yet seen.

What has been made public about China's nonproliferation commitment seems to have some problems. One, the agreement only prevents new nuclear cooperation with Iran's nuclear weapons programs and allows continued cooperation between China and Iran to take place in at least two nuclear contracts.

The agreement appears to have a loophole that could allow the resurrection of a currently suspended but not canceled contract to build a uranium enrichment facility in Iran since that contract would not fall into the category of new nuclear cooperation.

The agreement does not condition nuclear cooperation with Pakistan or any other country besides Iran.

The agreement does not contain provisions that would halt the transfer of nuclear-capable missiles to Iran or other countries.

Now perhaps once Congress gains access to all the information, we will decide that the promises that have been made are sufficient. On the other hand, after we hold hearings, review the documents, and have some time to observe China's behavior, we may come to the conclusion that the agreement contains empty or insufficient promises, and we may want to do something about it.

The gentleman from New York [Mr. GILMAN] and I have made this amendment to give Congress the additional time it is going to need in order to make this agreement, ultimately carefully fashioned to advance the goals which Congress has been trying to protect which this country has been advancing in the years ahead. I hope that all Members of the Congress can support us this evening in sending this very important message.

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

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. BERMAN].

(Mr. BERMAN asked and was given permission to revise and extend his remarks.)

Mr. BERMAN. Mr. Speaker, I rise both in support of the underlying bill which I think is a very sensible effort to augment our ability to ascertain the human rights situation in China by strengthening our on-the-ground operations there and the Gilman-Markey amendment which, to me, without prejudicing what our decision would be, enhances Congress' ability and the administration's ability to ensure that the representations and commitments made by the Chinese in the area of nuclear proliferation are being implemented and forced by expanding the

time in which Congress has to review and decide whether to allow or disapprove of the agreement which has been certified.

China's past record of abiding by its international commitments not to aid the proliferation of weapons of mass destruction is not a good one. Congressional skepticism about Chinese promises is clearly warranted. There is time to consider the agreement, and the extension of that time and the expedited procedure which would allow a decision to be implemented without the threat of filibuster or delay in the other body is very critical in reducing the skepticism and reinforcing congressional support for the agreement should the record of implementation bring us to that conclusion.

So for that reason, I think both the Chinese and the administration should welcome this. This gives us a greater time to determine if, in fact, it is true that the representations made have been kept, the commitments made with respect to export controls and the implementation of a meaningful export control regime are being followed through.

By reducing our concern, it leads people to come to a fact-based conclusion by adding to the time we have to look at it. My fear is that if the existing law remains in place, we will be rushed into a decision, we will be forced to make decisions based on the past record rather than the present record, and so I think the gentleman from New York [Mr. GILMAN] and the gentleman from Massachusetts [Mr. MARKEY] have an excellent amendment here, and I urge the body to adopt it.

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ROHRBACHER], a member of our committee.

Mr. ROHRBACHER. Mr. Speaker, I rise in strong support of the Gilman-Markey amendment.

I was in Cambodia not too long ago with a United States team of military personnel trying to clear out mines in Cambodia, and they told me that there was a new mine that they were having trouble teaching the Cambodians how to get rid of, how to defuse, because it was a smart mine, and eventually that mine exploded in the hands of someone trying to defuse it. It was designed to kill Americans or anyone else trying to defuse mines. When they opened it up, what did they find? They found a chip from Motorola, a Motorola chip that was designed specifically to make it impossible to defuse these mines without the loss of American military personnel.

We need control of our technology when it is going into the hands of vicious dictatorships like we find in the mainland in China. If we do not impose these restrictions on technology or just handle this issue with care, it is going to come back and haunt us. It is going to hurt our national security, and Americans will be dead if we do not take the proper care.

That is what the Gilman-Markey amendment is all about. That is why I support the Gilman-Markey amendment.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I rise in support of the Gilman-Markey amendment.

Mr. Speaker, last month I called on the administration not to certify that China has stopped its exportation of nuclear technology to unregulated countries, and I wrote to President Clinton urging that the administration halt preparations to recertify China and spoke out against it here in the House.

Mr. Speaker, granting certification to China now is the wrong thing to do, given China's record of exporting nuclear technology. The recent action by the Chinese premier to sign regulations limiting nuclear exports pales in comparison to Chinese actions of the past 12 years which argue for continued prudence and vigilance.

I am particularly concerned about Beijing's pattern of transferring ring magnets, an important component for building nuclear weapons for a Pakistani nuclear facility. I am concerned that the administration appears to be giving insufficient consideration to China's recent transfer of nuclear technology to unregulated nuclear facilities in Pakistan.

The administration will be granting certification despite CIA findings that the Chinese have sold 5,000 ring magnets to Pakistan for its uranium enrichment facilities, and ring magnets can be used in the building of nuclear weapons. The administration is apparently willing to ignore China's continued support of Pakistan's commitment to build a plutonium production reactor and a plutonium reprocessing plant. These facilities are essential for a nuclear weapons program, and despite the protests of United States lawmakers, China continues to assist Pakistan in building a sophisticated nuclear arsenal. Unfortunately, this arsenal is not subject to international inspection.

Furthermore, the administration continues to look the other way as China continues to export technology and ballistic missile components to Pakistan, a country that is not a member of the International Atomic Energy Agency and bans investigators from several of its nuclear facilities.

Mr. Speaker, clearly, there is a lot of skepticism and many unanswered questions about granting the certification. Let us pass this common sense, the Gilman-Markey neutral resolution, so that our decision is based on the complete review of the terms of the agreement and not just rush into rubber-stamping an agreement that we may later come to regret.

□ 1900

Mr. HAMILTON. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman for yielding me this time, even though I am not in agreement with his position, but I appreciate his generosity.

Mr. Speaker, I rise in strong support of the Gilman-Markey amendment to the underlying bill of the gentlewoman from Florida [Ms. ROS-LEHTINEN]. I support that bill, as well as this amendment.

This is probably the most important issue that we will debate on this whole China issue in the House. I certainly care about promoting democratic freedoms in China, and I am very concerned about the \$50 billion trade deficit that we will suffer this year with China. But even if those two issues were not a factor in our U.S.-China relationship, the issue of the proliferation of weapons of mass destruction is the most serious issue that we in the Congress have to deal with. It is about nothing short of the safety of the world.

I am afraid that the President's move to certify that China is in accord with the cooperative agreements on the nuclear accords is just a fiction, and I believe that it is very necessary for Congress to take a very close look at what the Chinese have promised and what the prospects are for their keeping their promises, because indeed the law on proliferation and certification calls for performance before a country can receive certification, and President Clinton is intending to give certification on the basis of promises.

My colleagues have reviewed some of the promises made by China and promises not kept by China, and I would be happy to share the pages and pages and pages of unkept promises on the subject of proliferation, but I will just refer to one in particular.

On May 11, 1996, the Chinese pledged that "China will not provide assistance to unsafeguarded nuclear facilities." The end of that year, December 1996, the CIA's assessment on China's non-proliferation record stated, "During the last half of 1996, China was the most significant supplier of weapons of mass destruction and technology to foreign countries. The Chinese provided a tremendous variety of assistance to both Iran and Pakistan's ballistic missiles programs. Pakistan was very aggressive in seeking out equipment, material and technology for its nuclear weapons program, with China as its principal supplier."

That was 6 months after the pledge. Then, this year, in talking about the certification, President Clinton said, after the CIA, in an unclassified report to Congress, revealed that, President Clinton said, "China has lived up to its pledge not to assist unsafeguarded nuclear facilities in third countries and is developing a system of export controls to prevent the transfer of sales of technology and weapons of mass destruction, but China still maintains some troubling weapons relationship."

That last sentence is fraught with meaning because it covers a very vast

array of violations by China, but China still maintains some troubling weapons supply relationships. That means they are still proliferating weapons of mass destruction.

President Clinton said that only a short while after the Office of Naval Intelligence Report on Worldwide Maritime Challenges, March 1997, stated, and this is blown up for the review of my colleagues,

Discoveries after the Gulf War clearly indicate that Iran maintained an aggressive weapons of mass destruction procurement program. A similar situation exists today in Iran, with a steady flow of materials and technologies from China to Iran. This exchange is one of the most active weapons of mass destruction programs in the Third World and is taking place in a region of great strategic interest to the United States.

I just want to close by saying, when we asked President Jiang in the breakfast, the famous breakfast meeting, has China engaged in the proliferation of weapons of mass destruction; well, we know they have, but; please comment on China's proliferation, he deferred to his foreign minister who stood up and said China has never proliferated any nuclear technology, has never proliferated any nuclear technology; never.

So when we base our policy on promises by China, I think we have to look at the record. The Congress needs the additional time to review that. I urge my colleagues to support the Gilman-Markey amendment.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon [Mr. DEFAZIO].

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentleman from Oregon [Mr. DEFAZIO].

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Oregon [Mr. DEFAZIO] is recognized for 2 minutes.

Mr. DeFAZIO. Mr. Speaker, I thank my colleagues for yielding me this time.

I think the gentlewoman from California [Ms. PELOSI] was most eloquent on this issue. The bottom line here is that the President, under pressure from a failing U.S. nuclear industry, because there has not been a new nuclear plant constructed in the United States in more than a dozen year, and none are proposed, is being pressured to transfer critical nuclear technology to China, a country that has a long-term documented record of transferring technology for weapons of mass destruction to rogue states. China has broken all of its past promises in this area.

But now, now, things are different, things are very different. They have signed a new agreement. Here it is. Oh, we cannot see it. Well, neither can I. It is a secret agreement. Now, they broke the written agreements, they broke the verbal agreements, all done publicly, but now they have signed this, this secret agreement here, my colleagues can see, it is quite lengthy, saying that they will not do it again, under certain

conditions unspecified to certain nations, which are specified.

Now, I do not think that Congress can review this lengthy document in only 30 days and determine whether or not China has complied with all of the conditions of the secret document which we cannot see. I think it will take us a little bit longer. So I am suggesting that our colleagues should support this amendment.

Mr. Speaker, 120 days is not too long to certify whether or not China is really complying with conditions that we would like to see for a country to whom we are going to transfer critical nuclear technology, because I tell my colleagues, if we transfer that technology and it is misused, it will seem like a lifetime to people who voted to allow the Chinese to have that technology to transfer to America's enemies around the world.

So support this amendment. It is reasonable that Congress should have 120 days before the United States takes this unprecedented step.

Mr. HAMILTON. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Indiana [Mr. HAMILTON] has 4 minutes, and the gentleman from New York [Mr. GILMAN] has 2 minutes.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. COX].

I understand he wants an additional minute.

Mr. GILMAN. Mr. Speaker, I yield 2 additional minutes to the gentleman from California [Mr. COX].

Mr. HAMILTON. Mr. Speaker, I have the right to close?

The SPEAKER pro tempore. The gentleman from Indiana [Mr. HAMILTON] has the right to close.

The gentleman from California [Mr. COX] is recognized for 3 minutes.

Mr. COX of California. Mr. Speaker, I thank both gentlemen for yielding time.

The 1954 Atomic Energy Act is at bottom what we are discussing here and requires a joint resolution of Congress before any nuclear-related trade between an United States company or the United States Government and any other country, so Congress has to act. Senator GLENN amended this law in 1978 with the Nuclear Nonproliferation Act, and that law forbids nuclear-related exports to any country that, after March 10, 1978, assisted, encouraged or induced any non-nuclear Nation to engage in nuclear activities. That includes civilian nuclear activities.

On December 16, 1985, Congress passed a joint resolution prospectively approving a U.S.-People's Republic of China nuclear sale, provided that prior to the implementation of that agreement the President certifies that the People's Republic of China is a member in good standing of the community of nonproliferating nations.

As my colleagues have heard from all that has gone before, the People's Republic of China takes the view that we

do not do it, we do not proliferate, and in any case, we will not do it anymore. They have, in fact, been proliferating, and they have been doing it all the way up to the present time.

Mr. Speaker, this is the report of the Director of Central Intelligence to Congress dated June 1997, and what it says, it has been quoted in this debate previously, is that China was the primary source of nuclear-related equipment and technology to Pakistan and a key supplier to Iran during the reporting period. Incidentally, Iran also obtained considerable chemical weapons-related assistance from China in the form of production equipment and technology. The Chinese Foreign Minister told us at our breakfast here just a few days ago with President Jiang Zemin and the Foreign Minister that China has never done these things. So we cannot accept their assurances, and yet that is all we have.

The Presidential certification required by law is based on a prospective promise, a piece of paper, even though we know that what they are telling us today that they have not done in the past is untrue. China has a huge credibility gap.

The assertion by China's foreign ministry that China would refuse to provide America with assurances on nuclear cooperation with Iran since China was not engaged in such cooperation which led up to the summit are an indication of what we are up against. This bill, this amendment to the bill, does nothing more than give Congress adequate time to discharge its responsibility, which we have had since 1954.

In the circumstances, since China's cooperation is going to be entirely prospective, it is utterly reasonable, and I urge the support of my colleagues for this very reasonable amendment.

Mr. HAMILTON. Mr. Speaker, I yield myself the balance of the time.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. HAMILTON] is recognized for 3 minutes.

Mr. HAMILTON. Mr. Speaker, first of all, let me simply say that a number of my colleagues here have expressed their very deep concern about this certification that the President will make. I share that concern. They have expressed a lot of suspicions about Chinese conduct on proliferation over a period of years. I also share that concern. They are quite right, those who support this amendment, to be deeply concerned about it. They have pointed to instances where China has not kept its word, and I appreciate that.

But I also want to point out here that this Congress in 1985 adopted a framework by which we would consider certifications. We passed that law. We adopted the framework, and now, let it be clear that at the last minute, we are changing the rules of the game. We are doing exactly what we accused the Chinese of doing. We are changing the rules of the game.

I do not think that is the way a responsible power should act.

We passed a law, 30 days for certification for review. It did not have the expedited procedures in it that this amendment adopts.

I know I am whistling in the wind here because this amendment will be adopted overwhelmingly, but I simply want to point out to my colleagues that we passed a law, we provided the framework, now we are trying to change that framework at the very end of the game. The Chinese have a right to complain about that.

Mr. SOLOMON. Mr. Speaker, I rise in strong support of this amendment by Mr. GILMAN and Mr. MARKEY.

Mr. Speaker, I just have to say, last week we were treated to a farce. I am just aghast that this administration would, presumably with a straight face, send a certification over to this Congress that Communist China is a responsible partner in nuclear nonproliferation.

What is a paper promise against hard historical facts? And the facts are that China is one of the most irresponsible proliferators in the world.

Mr. Speaker, this responsible amendment doesn't kill any planned nuclear deal with China. It simply gives the people's Representatives a little more time to review the process.

It would be irresponsible and dangerous to vote no and I urge an "aye" vote.

Mr. HAMILTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

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

Mr. GILMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Without objection, the Chair will reduce to 5 minutes the time for any electronic vote on passage without intervening business or debate, other than engrossment or third reading.

There was no objection.

The vote was taken by electronic device, and there were— yeas 394, nays 29, not voting 10, as follows:

[Roll No. 579]

YEAS—394

|              |             |             |
|--------------|-------------|-------------|
| Abercrombie  | Bilirakis   | Canady      |
| Ackerman     | Bishop      | Cannon      |
| Aderholt     | Blagojevich | Cardin      |
| Allen        | Bliley      | Carson      |
| Andrews      | Blumenauer  | Castle      |
| Archer       | Boehler     | Chabot      |
| Armey        | Boehner     | Chambliss   |
| Bachus       | Bonilla     | Chenoweth   |
| Baesler      | Bonior      | Christensen |
| Baker        | Bono        | Clay        |
| Baldacci     | Borski      | Clayton     |
| Ballenger    | Boswell     | Clement     |
| Barcia       | Boucher     | Clyburn     |
| Barr         | Boyd        | Coble       |
| Barrett (NE) | Brady       | Coburn      |
| Barrett (WI) | Brown (FL)  | Collins     |
| Bartlett     | Brown (OH)  | Combest     |
| Barton       | Bryant      | Condit      |
| Bass         | Burr        | Conyers     |
| Bateman      | Burton      | Cook        |
| Becerra      | Buyer       | Cooksey     |
| Bentsen      | Callahan    | Costello    |
| Berman       | Calvert     | Cox         |
| Berry        | Camp        | Coyne       |
| Bilbray      | Campbell    | Cramer      |

|               |                |               |
|---------------|----------------|---------------|
| Crapo         | Jefferson      | Pascrell      |
| Cummings      | Jenkins        | Pastor        |
| Cunningham    | John           | Paul          |
| Danner        | Johnson (WI)   | Paxon         |
| Davis (FL)    | Johnson, E. B. | Pease         |
| Davis (IL)    | Johnson, Sam   | Pelosi        |
| Davis (VA)    | Jones          | Peterson (MN) |
| Deal          | Kanjorski      | Peterson (PA) |
| DeFazio       | Kaptur         | Petri         |
| DeGette       | Kasich         | Pickering     |
| Delahunt      | Kelly          | Pickett       |
| DeLauro       | Kennedy (MA)   | Pitts         |
| DeLay         | Kennedy (RI)   | Pombo         |
| Dellums       | Kildee         | Pomeroy       |
| Deutsch       | Kilpatrick     | Porter        |
| Diaz-Balart   | Kim            | Portman       |
| Dickey        | Kind (WI)      | Poshard       |
| Dicks         | King (NY)      | Price (NC)    |
| Dixon         | Kingston       | Pryce (OH)    |
| Doggett       | Klecza         | Quinn         |
| Doolittle     | Klink          | Radanovich    |
| Doyle         | Klug           | Rahall        |
| Duncan        | Knollenberg    | Ramstad       |
| Dunn          | Kucinich       | Rangel        |
| Edwards       | LaFalce        | Redmond       |
| Ehlers        | Lampson        | Regula        |
| Ehrlich       | Lantos         | Reyes         |
| Emerson       | Largent        | Rivers        |
| Engel         | Latham         | Rodriguez     |
| Ensign        | LaTourrette    | Rogan         |
| Eshoo         | Lazio          | Rogers        |
| Etheridge     | Leach          | Rohrabacher   |
| Evans         | Levin          | Ros-Lehtinen  |
| Everett       | Lewis (CA)     | Rothman       |
| Ewing         | Lewis (GA)     | Roukema       |
| Farr          | Lewis (KY)     | Roybal-Allard |
| Fattah        | Linder         | Royce         |
| Fawell        | Lipinski       | Rush          |
| Filner        | Livingston     | Ryun          |
| Foley         | LoBiondo       | Sabo          |
| Forbes        | Lofgren        | Salmon        |
| Fossella      | Lowey          | Sanchez       |
| Ford          | Lucas          | Sanders       |
| Fowler        | Luther         | Sandlin       |
| Fox           | Maloney (CT)   | Sanford       |
| Frank (MA)    | Maloney (NY)   | Saxton        |
| Franks (NJ)   | Manton         | Scarborough   |
| Frelinghuysen | Markey         | Schaefer, Dan |
| Frost         | Martinez       | Schaffer, Bob |
| Furse         | Mascara        | Scott         |
| Gallely       | Matsui         | Sensenbrenner |
| Ganske        | McCarthy (MO)  | Serrano       |
| Gedjenson     | McCarthy (NY)  | Sessions      |
| Gekas         | McCollum       | Shadegg       |
| Gephardt      | McCrery        | Shaw          |
| Gibbons       | McDade         | Sherman       |
| Gilchrest     | McDermott      | Shimkus       |
| Gilman        | McGovern       | Shuster       |
| Goode         | McHale         | Sisisky       |
| Goodlatte     | McHugh         | Skeen         |
| Goodling      | McInnis        | Skelton       |
| Gordon        | McIntosh       | Slaughter     |
| Goss          | McIntyre       | Smith (MI)    |
| Graham        | McKeon         | Smith (NJ)    |
| Granger       | McNulty        | Smith (OR)    |
| Green         | Meehan         | Smith (TX)    |
| Greenwood     | Menendez       | Smith, Adam   |
| Gutierrez     | Metcalf        | Smith, Linda  |
| Gutknecht     | Mica           | Snowbarger    |
| Hall (OH)     | Millender-     | Solomon       |
| Hansen        | McDonald       | Souder        |
| Harman        | Miller (CA)    | Spence        |
| Hastert       | Miller (FL)    | Spratt        |
| Hastings (WA) | Minge          | Stabenow      |
| Hayworth      | Mink           | Stark         |
| Hefley        | Moakley        | Stearns       |
| Hefner        | Mollohan       | Stenholm      |
| Herger        | Moran (KS)     | Stokes        |
| Hill          | Morella        | Strickland    |
| Hilleary      | Murtha         | Stupak        |
| Hilliard      | Myrick         | Sununu        |
| Hinchev       | Nadler         | Talent        |
| Hinojosa      | Neal           | Tanner        |
| Hobson        | Nethercutt     | Tauscher      |
| Hoekstra      | Neumann        | Tauzin        |
| Holden        | Ney            | Taylor (MS)   |
| Hooley        | Northup        | Taylor (NC)   |
| Horn          | Norwood        | Thomas        |
| Hostettler    | Nussle         | Thompson      |
| Hoyer         | Oberstar       | Thornberry    |
| Hulshof       | Obey           | Thune         |
| Hunter        | Olver          | Thurman       |
| Hutchinson    | Ortiz          | Tiahrt        |
| Hyde          | Owens          | Tierney       |
| Inglis        | Oxley          | Torres        |
| Istook        | Packard        | Towns         |
| Jackson (IL)  | Pallone        | Traficant     |
| Jackson-Lee   | Pappas         | Turner        |
| (TX)          | Parker         | Upton         |

|           |             |            |
|-----------|-------------|------------|
| Velazquez | Watts (OK)  | Whitfield  |
| Vento     | Waxman      | Wicker     |
| Visclosky | Weldon (FL) | Wise       |
| Walsh     | Weldon (PA) | Wolf       |
| Wamp      | Weller      | Woolsey    |
| Waters    | Wexler      | Wynn       |
| Watkins   | Weygand     | Young (AK) |
| Watt (NC) | White       | Young (FL) |

NAYS—29

|            |               |            |
|------------|---------------|------------|
| Bereuter   | Gillmor       | Meek       |
| Blunt      | Hall (TX)     | Moran (VA) |
| Brown (CA) | Hamilton      | Payne      |
| Crane      | Hastings (FL) | Roemer     |
| Dingell    | Houghton      | Sawyer     |
| Dooley     | Johnson (CT)  | Shays      |
| Dreier     | Kennelly      | Skaggs     |
| English    | Kolbe         | Snyder     |
| Fazio      | LaHood        | Stump      |
| Foglietta  | Manzullo      |            |

NOT VOTING—10

|          |          |         |
|----------|----------|---------|
| Bunning  | McKinney | Schumer |
| Cubin    | Riggs    | Yates   |
| Flake    | Riley    |         |
| Gonzalez | Schiff   |         |

□ 1936

Mr. KOLBE, Mrs. MEEK of Florida, Messrs. STUMP, HALL of Texas, and FOGLIETTA, Mrs. KENNELLY of Connecticut, and Messrs. SAWYER, SHAYS, and SKAGGS changed their vote from "yea" to "nay."

Mr. JONES and Mr. DAVIS of Florida changed their vote from "nay" to "yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. RIGGS. Mr. Speaker, on rollcall No. 579, I was unavoidably detained performing other congressional duties and unable to vote. Had I been present, I would have voted "yes."

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to House Resolution 302, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is the passage of the bill.

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

RECORDED VOTE

Ms. ROS-LEHTINEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 416, noes 5, not voting 12, as follows:

[Roll No. 580]

AYES—416

|             |              |             |
|-------------|--------------|-------------|
| Abercrombie | Barrett (NE) | Blagojevich |
| Ackerman    | Barrett (WI) | Bliley      |
| Aderholt    | Bartlett     | Blumenauer  |
| Allen       | Barton       | Blunt       |
| Andrews     | Bass         | Boehler     |
| Archer      | Bateman      | Boehner     |
| Armey       | Becerra      | Bonilla     |
| Bachus      | Bentsen      | Bonior      |
| Baesler     | Bereuter     | Bono        |
| Baker       | Berman       | Borski      |
| Baldacci    | Berry        | Boswell     |
| Ballenger   | Bilbray      | Boucher     |
| Barcia      | Bilirakis    | Boyd        |
| Barr        | Bishop       | Brady       |

|               |                |               |               |             |             |
|---------------|----------------|---------------|---------------|-------------|-------------|
| Brown (FL)    | Gilman         | McCarthy (MO) | Schaefer, Dan | Spence      | Upton       |
| Brown (OH)    | Goode          | McCarthy (NY) | Schaffer, Bob | Spratt      | Velazquez   |
| Bryant        | Goodie         | McCollum      | Scott         | Stabenow    | Vento       |
| Burr          | Goodlatte      | McCreery      | Sensenbrenner | Stark       | Visclosky   |
| Burton        | Goodling       | McDade        | Serrano       | Stearns     | Walsh       |
| Buyer         | Gordon         | McDermott     | Sessions      | Stenholm    | Wamp        |
| Callahan      | Goss           | McGovern      | Shadegg       | Stokes      | Waters      |
| Calvert       | Graham         | McHale        | Shaw          | Strickland  | Watkins     |
| Camp          | Granger        | McHugh        | Shays         | Stump       | Watt (NC)   |
| Campbell      | Green          | McInnis       | Sherman       | Stupak      | Watts (OK)  |
| Canady        | Greenwood      | McIntosh      | Shimkus       | Sununu      | Waxman      |
| Cannon        | Gutierrez      | McIntyre      | Shuster       | Talent      | Weldon (FL) |
| Cardin        | Gutknecht      | McKeon        | Sisisky       | Tanner      | Weldon (PA) |
| Carson        | Hall (OH)      | McNulty       | Skaggs        | Tauscher    | Weller      |
| Castle        | Hall (TX)      | McNulty       | Skeen         | Tauzin      | Wexler      |
| Chabot        | Hamilton       | Meehan        | Skelton       | Taylor (MS) | Weygand     |
| Chambliss     | Hansen         | Meek          | Slaughter     | Taylor (NC) | White       |
| Chenoweth     | Harman         | Menendez      | Smith (MI)    | Thomas      | Whitfield   |
| Christensen   | Hastert        | Metcalfe      | Smith (NJ)    | Thompson    | Wicker      |
| Clay          | Hastings (FL)  | Mica          | Smith (OR)    | Thornberry  | Wise        |
| Clayton       | Hastings (WA)  | Millender-    | Smith (TX)    | Thurman     | Wolf        |
| Clement       | Hayworth       | McDonald      | Smith (TX)    | Tiahrt      | Woolsey     |
| Clyburn       | Hefley         | Miller (CA)   | Smith, Adam   | Tierney     | Wynn        |
| Coble         | Hefner         | Miller (FL)   | Smith, Linda  | Torres      | Young (AK)  |
| Coburn        | Herger         | Minge         | Snowbarger    | Towns       | Young (FL)  |
| Collins       | Hill           | Mink          | Snyder        | Towns       |             |
| Combest       | Hilleary       | Moakley       | Solomon       | Traficant   |             |
| Condit        | Hilliard       | Mollohan      | Souder        | Turner      |             |
| Conyers       | Hinchee        | Moran (KS)    |               |             |             |
| Cook          | Hinojosa       | Moran (VA)    |               |             |             |
| Cooksey       | Hobson         | Morella       | Brown (CA)    | Kanjorski   | Pickett     |
| Costello      | Hoekstra       | Murtha        | Dingell       | Paul        |             |
| Cox           | Holden         | Myrick        |               |             |             |
| Coyne         | Hoolley        | Nadler        |               |             |             |
| Cramer        | Horn           | Neal          | Bunning       | Kilpatrick  | Schiff      |
| Crane         | Hostettler     | Nethercutt    | Cubin         | Kingston    | Schumer     |
| Crane         | Houghton       | Neumann       | Flake         | McKinney    | Thune       |
| Crapo         | Hoyer          | Ney           | Gonzalez      | Riley       | Yates       |
| Cummings      | Hulshof        | Northup       |               |             |             |
| Cunningham    | Hunter         | Norwood       |               |             |             |
| Danner        | Hutchinson     | Nussle        |               |             |             |
| Davis (FL)    | Hyde           | Oberstar      |               |             |             |
| Davis (IL)    | Inglis         | Obey          |               |             |             |
| Davis (VA)    | Istook         | Olver         |               |             |             |
| Deal          | Jackson (IL)   | Ortiz         |               |             |             |
| DeFazio       | Jackson-Lee    | Owens         |               |             |             |
| DeGette       | (TX)           | Oxley         |               |             |             |
| Delahunt      | Jefferson      | Packard       |               |             |             |
| DeLauro       | Jenkins        | Pallone       |               |             |             |
| DeLay         | John           | Pappas        |               |             |             |
| Dellums       | Johnson (CT)   | Parker        |               |             |             |
| Deutsch       | Johnson (WI)   | Pascrell      |               |             |             |
| Diaz-Balart   | Johnson, E. B. | Pastor        |               |             |             |
| Dickey        | Johnson, Sam   | Paxon         |               |             |             |
| Dicks         | Jones          | Payne         |               |             |             |
| Dixon         | Kaptur         | Pease         |               |             |             |
| Doggett       | Kasich         | Pelosi        |               |             |             |
| Dooley        | Kelly          | Peterson (MN) |               |             |             |
| Doolittle     | Kennedy (MA)   | Peterson (PA) |               |             |             |
| Doyle         | Kennedy (RI)   | Petri         |               |             |             |
| Dreier        | Kennelly       | Pickering     |               |             |             |
| Duncan        | Kildee         | Pitts         |               |             |             |
| Dunn          | Kim            | Pombo         |               |             |             |
| Edwards       | Kind (WI)      | Pomeroy       |               |             |             |
| Ehlers        | King (NY)      | Porter        |               |             |             |
| Ehrlich       | Kleczka        | Portman       |               |             |             |
| Emerson       | Klink          | Poshard       |               |             |             |
| Engel         | Klug           | Price (NC)    |               |             |             |
| English       | Knollenberg    | Pryce (OH)    |               |             |             |
| Ensign        | Kolbe          | Quinn         |               |             |             |
| Eshoo         | Kucinich       | Radanovich    |               |             |             |
| Etheridge     | Rahall         | Rahall        |               |             |             |
| Evans         | LaHood         | Ramstad       |               |             |             |
| Everett       | Lampson        | Rangel        |               |             |             |
| Ewing         | Lantos         | Redmond       |               |             |             |
| Farr          | Largent        | Regula        |               |             |             |
| Fattah        | Latham         | Reyes         |               |             |             |
| Fawell        | LaTourette     | Riggs         |               |             |             |
| Fazio         | Lazio          | Rivers        |               |             |             |
| Filner        | Leach          | Rodriguez     |               |             |             |
| Foglietta     | Levin          | Roemer        |               |             |             |
| Foley         | Lewis (CA)     | Rogan         |               |             |             |
| Forbes        | Lewis (GA)     | Rogers        |               |             |             |
| Ford          | Lewis (KY)     | Rohrabacher   |               |             |             |
| Fossella      | Linder         | Ros-Lehtinen  |               |             |             |
| Fowler        | Lipinski       | Rothman       |               |             |             |
| Fox           | Livingston     | Roukema       |               |             |             |
| Frank (MA)    | LoBiondo       | Royal-Allard  |               |             |             |
| Franks (NJ)   | Lofgren        | Royce         |               |             |             |
| Frelinghuysen | Lowey          | Rush          |               |             |             |
| Frost         | Lucas          | Ryun          |               |             |             |
| Furse         | Luther         | Sabo          |               |             |             |
| Gallegly      | Maloney (CT)   | Salmon        |               |             |             |
| Ganske        | Maloney (NY)   | Sanchez       |               |             |             |
| Gejdenson     | Manton         | Sanders       |               |             |             |
| Gekas         | Manzullo       | Sandlin       |               |             |             |
| Gephardt      | Markey         | Sanford       |               |             |             |
| Gibbons       | Martinez       | Sawyer        |               |             |             |
| Gilchrest     | Mascara        | Saxton        |               |             |             |
| Gillmor       | Matsui         | Scarborough   |               |             |             |

## NOES—5

## NOT VOTING—12

## □ 1945

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. THUNE. Mr. Speaker, on rollcall No. 580, I was inadvertently detained. Had I been present, I would have voted "yes."

**PROVIDING FOR CERTAIN MEASURES TO INCREASE MONITORING OF PRODUCTS OF PEOPLE'S REPUBLIC OF CHINA MADE WITH FORCED LABOR**

Mr. CRANE. Mr. Speaker, pursuant to House Resolution 302, I call up the bill (H.R. 2195) to provide for certain measures to increase monitoring of products of the People's Republic of China that are made with forced labor, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HASTINGS). The bill is considered read for amendment.

The text of H.R. 2195 is as follows:

## H.R. 2195

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Laogai Slave Labor Products Act of 1997".

**SEC. 2. FINDINGS.**

The Congress makes the following findings:

(1) The People's Republic of China operates and maintains an extensive forced labor camp system—the Laogai.

(2) The Laogai is made up of more than 1,100 forced labor camps, with an estimated population of 6,000,000 to 8,000,000 prisoners.

(3) In one part of the Laogai system, known as laojiao, or reeducation-through-

labor, Chinese citizens can be detained for up to 3 years without any judicial review or formal appearance in the judicial system.

(4) The Laogai is an integral sector of the export economy of the People's Republic of China and is engaged in the export to the United States of the goods made by forced labor.

(5) The Government of the People's Republic of China actively promotes the forced labor camps by employing a system of dual names for the camps to deceive the international community.

(6) The United States Customs Service has taken formal administrative action banning the importation of 27 different products found to have been made in the Laogai.

(7) Despite the fact that the People's Republic of China has entered into binding agreements with the United States (the 1992 Memorandum of Understanding on Prison Labor, and the 1994 Statement of Cooperation on the Implementation of the Memorandum of Understanding on Prison Labor) to allow inspections of its forced labor camps to determine the origins of suspected Laogai imports to the United States, the People's Republic of China has frustrated the implementation of these agreements.

(8) The State Department's Human Rights Country Reports in 1995 and 1996 each stated, "Repeated delays in arranging prison labor site visits called into question Chinese intentions regarding the implementation of" the two agreements referred to in paragraph (7).

(9) Concerning the ability of the United States Customs Service to identify Communist Chinese products that originate in the Laogai, Commissioner of Customs George J. Weise stated in testimony before the Senate Foreign Relations Committee on May 22, 1997: "We simply do not have the tools within our present arsenal at Customs to gain the timely and in-depth verification that we need."

**SEC. 3. AUTHORIZATION FOR ADDITIONAL CUSTOMS AND STATE DEPARTMENT PERSONNEL TO MONITOR EXPORTATION OF SLAVE LABOR PRODUCTS BY THE PEOPLE'S REPUBLIC OF CHINA.**

There are authorized to be appropriated for monitoring by the United States Customs Service and the Department of State of the exportation by the People's Republic of China to the United States of products made with slave labor, the importation of which violates section 307 of the Tariff Act of 1930 or section 1761 of title 18, United States Code, \$2,000,000 for fiscal year 1998 and \$2,000,000 for fiscal year 1999.

**SEC. 4. REPORTING REQUIREMENT ON EXPORTATION OF SLAVE LABOR PRODUCTS BY THE PEOPLE'S REPUBLIC OF CHINA.**

(a) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act and annually thereafter, the Commissioner of Customs and the Secretary of State shall each prepare and transmit to the Congress reports on the manufacturing and exportation of products made with slave labor in the People's Republic of China.

(b) CONTENTS OF REPORT.—Each report under subsection (a) shall include information concerning the following:

(1) The extent of the use of slave labor in manufacturing products for exportation by the People's Republic of China, as well as the volume of exports of such slave labor products by that country.

(2) The progress of the United States Government in identifying products made with slave labor in the People's Republic of China that are destined for the United States market in violation of section 307 of the Tariff Act of 1930 or section 1761 of title 18, United States Code, and in stemming the importation of those products.