



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144

WASHINGTON, TUESDAY, MARCH 3, 1998

No. 19

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Dear God, righteous, holy Judge of us all, we are accountable to You. Every word we speak and action we take is heard and seen by You. Remind us that You bless those who humble themselves and put their trust in You completely. There's no limit to what You will do for a country and its leaders if You are glorified as Sovereign.

May the knowledge of Your blessings to our Nation bring a deeper commitment to You. We want our motto, "In God we trust" to be more than an egregious exaggeration. Begin a spiritual awakening in us that will spread throughout our Nation. You have told us, "Where there is no vision the people perish . . ."—Proverbs 29:18. And we remember Thomas Jefferson's warning, "God who gave us life, gave us liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gifts of God?" With these words ringing in our souls, grant the Senators and all of us who work with them the courage to reaffirm You as Lord to whom we are responsible for the moral, spiritual, and cultural life of America. In the name of our Savior. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. COVERDELL. Mr. President, on behalf of the majority leader, I announce that this morning the Senate will be in a period of morning business until 11 a.m. At 11 a.m., the Senate will

resume consideration of S. 1173, the ISTEAL legislation. By previous agreement, from 12:30 p.m. to 2:15 p.m. the Senate will recess for the weekly policy luncheons to meet.

It is hoped that at 2:30 p.m. the commerce amendment will be offered. Therefore, Members can anticipate debate on that amendment this afternoon. In addition, the Senate may consider any executive or legislative business cleared for action. As always, Members will be notified when rollcall votes are scheduled.

I thank my colleagues for their attention.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. BROWNBACK). There will now be a period for the transaction of morning business.

The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, I thank the Chair.

(The remarks of Senator COVERDELL and Senator FEINSTEIN pertaining to the submitted S.J. Res. 42 and S.J. Res. 43 are located in today's RECORD under "Submission of Concurrent and Joint Resolutions.")

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin. Under a previous order, the Senator from Wisconsin is recognized for up to 15 minutes.

Mr. FEINGOLD. I thank the Chair.

(The remarks of Mr. FEINGOLD pertaining to the submission of legislation are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, are we in morning business for 10 more minutes?

The PRESIDING OFFICER. We are in morning business until 11 o'clock.

Mr. WELLSTONE. I ask unanimous consent that I be able to speak for 10 minutes in morning business.

The PRESIDING OFFICER. The Senator has that right under the previous order.

Mr. WELLSTONE. I am sorry?

The PRESIDING OFFICER. The Senator has that right under the previous order.

Mr. WELLSTONE. I didn't know whether other people were in order to speak and I was bumping someone out.

The PRESIDING OFFICER. The Senator from Minnesota has been recognized to speak for up to 10 minutes.

HUMAN RIGHTS IN CHINA

Mr. WELLSTONE. Mr. President, I will be on the floor at 11 o'clock with an amendment to the ISTEAL legislation, but let me pick up on comments I made yesterday on the floor of the Senate about a resolution that Senator MACK from Florida and I have submitted dealing with the whole question of human rights in China.

There is an editorial today in the Washington Post—and I think it is a very important editorial—called "A Choice on China." I ask unanimous consent to have that printed in the RECORD.

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

A CHOICE ON CHINA

The Clinton administration long ago abandoned human rights as a primary consideration in dealing with China, but it claimed an intention at least to continue speaking out on the issue. The substance of U.S.-China relations—in other words, trade, military contacts, high-level summits—would go forward no matter what abuses China's leaders committed against their own people, but the United States would, in Secretary of State Madeleine Albright's famous phrase, "tell it like it is" nonetheless. Now, however, it

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



Printed on recycled paper.

S1215

seems the administration may sacrifice even truth-telling so as not to offend China's Communist regime.

The immediate issue is whether to sponsor a resolution at the United Nations Commission on Human Rights when it convenes in Geneva next month. You wouldn't think this would be a tough call. Such a resolution would moderately criticize China's record and call for improvements; it would impose no penalty beyond well-deserved embarrassment. Democracy advocate Wei Jingsheng nevertheless calls the resolution "a matter of life and death" for reform in China. President Clinton explicitly promised, back when he delinked trade and human rights in 1994, that the administration "would step up its efforts" to get such a resolution approved. China's regime remains as oppressive today as it was then.

That much is clear, in fact, from the State Department's own human rights report, which—despite a touch of whitewash this year—does mostly tell it like it is, painting a dismal picture of China's "widespread and well-documented human rights abuses." These include torture, extrajudicial killings, arbitrary arrest and detention, forced abortion and sterilization, crackdowns on independent Catholic and Protestant bishops and believers, brutal oppression of ethnic minorities and religion in Tibet and Xinjiang and, of course, absolute intolerance of free political speech or free press. Just this month, the FBI arrested two Chinese citizens for allegedly marketing human organs harvested from some of the 6,000 prisoners China executes each year. If prisoners are being killed in order to provide organs, it "would be among the grossest violations of human rights imaginable," Stanley O. Roth, assistant secretary of state for East Asian affairs, said last summer.

Yet from Mr. Clinton, still no word on plans for Geneva. Last year the administration similarly dithered and delayed, eventually hiding behind tiny Denmark, which sponsored a resolution. China responded, with grace matching America's courage, by warning that the human rights resolution would "become a rock that smashes on the Danish government's head." This year, while the administration again has been unable to make up its mind, the entire European Union opted out, cravenly vowing not to cosponsor any resolution. The EU then cited a series of inadequate "benchmarks" to measure future Chinese progress in the human rights field, such as that the visit of the U.N. human rights commissioner to China "should be taken seriously by the Chinese leadership."

It may be too late now for the United States to rally a coalition of countries that would guarantee a fair hearing for a resolution on China, but it is not too late for Mr. Clinton to support such a measure nonetheless. He can still send a message that America supports, or at least sympathizes with, the fighters for freedom inside China; alternatively, he can send a message that his friendship with their oppressors is too important to put at risk with any impolite words. For someone who hopes to become this year the first president to visit China since the massacre at Tiananmen Square, this should be an easy choice.

Mr. WELLSTONE. Mr. President, the immediate issue, as the Post editorial points out, is whether or not the United States is going to sponsor a resolution at the U.N. Commission on Human Rights gathering in Geneva, which is going to be coming up, I think, this month, or maybe at the beginning of next month, but within a very short period of time.

I had a chance to meet with Wei Jingsheng who wrote a wonderful book called "The Courage to Stand Alone." He spent many years in prison in China, I think 16 years, for his courage to speak out. He has made it very clear, and I quote the Post editorial, that the resolution is "'a matter of life and death' for reform in China. President Clinton explicitly promised, back when he delinked trade and human rights in 1994, that the administration 'would step up its efforts' to get such a resolution approved."

Mr. President, China remains as oppressive today as it was a few short years ago. I want colleagues to know that this is a separate question from whether or not you were in favor of most-favored-nation status for China. Some people believe trade policy is too blunt an instrument to be focused on human rights. Others do not. I do not share that sentiment. Regardless, let me repeat for colleagues what we know.

The State Department's own human rights report, which has been somewhat controversial because some think it is a bit of a whitewash this year, still nevertheless paints a dismal picture of China's "widespread and well-documented human rights abuses":

These include torture, extrajudicial killings, arbitrary arrest and detention, forced abortion and sterilization, crackdowns on independent Catholic and Protestant bishops and believers, brutal oppression of ethnic minorities and religions in [countries like] Tibet . . .

And the list goes on.

Just this month, the FBI arrested two Chinese citizens for allegedly marketing human organs harvested from some of the 6,000 prisoners China executes each year. If prisoners are being killed in order to provide organs, it "would be among the grossest violations of human rights imaginable," Stanley O. Roth, Assistant Secretary of State for East Asian Affairs, said last summer.

We haven't yet heard from the White House as to whether or not they are going to be sponsoring a resolution which would raise all of these questions. I think this is a commitment we have made as a country.

Let me conclude by reading the last paragraph of this Post editorial:

It may be too late now for the United States to rally a coalition of countries that would guarantee a fair hearing for a resolution on China, but it is not too late for Mr. Clinton to support such a measure nonetheless. He can still send a message that America supports, or at least sympathizes with, the fighters for freedom inside China; alternatively, he can send a message that his friendship with their oppressors is too important to put at risk with any impolite words. For someone who hopes to become this year the first president to visit China since the massacre at Tiananmen Square, this should be an easy choice.

The resolution that Senator MACK and I submitted yesterday calls on the President to move forward with this resolution at the U.N. Commission on Human Rights, which is going to be meeting in Geneva. My understanding was that we were going to mark up this

resolution in the Senate Foreign Relations Committee today, but one Senator on the committee has basically blocked that and has exercised his prerogative so we won't be able to mark it up in committee.

I want to make it clear to colleagues that I have every intention—and I hope I will be joined by other Senators—of bringing this resolution to the floor as an amendment on a bill, probably the ISTEPA bill. I will wait and see and work, of course, very closely with my colleague Senator MACK.

It is extremely important that the U.S. Senate go on record supporting a resolution passed by this U.N. Commission on Human Rights at its meeting in Geneva. Sometimes I get the feeling that when I speak on the floor of the Senate—in a few minutes we will have a debate, there will be more people here—but when I am on the floor of the Senate and speaking about something like this, I sometimes get the feeling it is unimportant. It is not unimportant. When Wei Jingsheng who spent all those years in prison, when Harry Wu, and others, who have given up years of their life because of their courage to speak up for just basic human rights, call on us in the U.S. Senate, "Won't you please at least adopt a resolution"—I guess it is going to have to be an amendment now—"which really calls on the President and your country to take leadership at this U.N. Commission on Human Rights and have some criticism of what has been going on in China, the torture of people, the execution of people, the imprisonment of people just for speaking up, the persecution of religious groups, won't you at least do that," I am telling you, when I get a request from someone like Wei Jingsheng, who I think is a giant, then I am certainly going to follow through on it.

I believe that in the U.S. Senate there will be overwhelming support for this resolution, which I think now will be an amendment since we have been blocked from being able to mark it up in the Senate Foreign Relations Committee.

I guess I will say to colleagues, if you don't agree that our country at the very least ought to be speaking up on these human rights questions and supporting people like Wei Jingsheng, that that is at least the minimum we can do at this very important U.N. Commission on Human Rights, then you can come to the floor of the Senate and you can debate it.

From my own point of view, one Senator, who happens to be my colleague from Minnesota who doesn't agree and is not going to let this go forward on the Senate Foreign Relations Committee, I would be pleased to debate him and other Senators as well. But my hope is that we will have overwhelming support for this.

Again, this doesn't say you are for or against most-favored-nation status. This doesn't say you are for or against assistance for IMF or not. This is not

about GATT. This is not about NAFTA. This is about something else which we ought to have a consensus on, which is, at this upcoming meeting in Geneva—I think our Government has given people in China every reason to believe that we would—and I guess I will quote Secretary of State Madeleine Albright's famous phrase, "Tell it like it is." We ought to tell it like it is. We ought to tell it like it is. The Post editorial is right on the mark, we ought to do it at this very important meeting of the U.N. Commission on Human Rights. That is the time for the United States to speak out.

Silence is betrayal, and our country must not be silent in the face of these kinds of abuses of elementary human rights of citizens in China and, for that matter, in other countries as well.

I hope that I will be doing this on the floor with Senator MACK. I certainly am going to be bringing an amendment to the floor. We have to have a vote on this. I can't let one Senator block a committee from marking up this bill and then have it delayed a month, which will be too late for this U.N. Commission on Human Rights. We will take action on it before the Senate. I hope we get 98, 99 Senators voting in favor of it. It is the least we can do.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL SPORTSMANSHIP DAY

Mr. CHAFEE. Mr. President, today is the eighth annual National Sportsmanship Day—a day designated to promote ethics, integrity, and character in athletics. I am pleased to say that National Sportsmanship Day was a creation of Mr. Daniel E. Doyle, Jr., Executive Director of the Institute for International Sport at the University of Rhode Island. Participation this year will include over 10,000 schools in all 50 states and more than 100 countries.

Today, the Institute is holding a day-long town meeting in which athletes, coaches, journalists, students, and educators are engaged in an in-depth discussion of racial issues in sports. I believe that the Institute's work in addressing the issues of character and sportsmanship, and its ability to foster good dialogue among our young people is significant.

As part of the Day's celebration, the Institute selects Sports Ethics Fellows who have demonstrated "highly ethical behavior in athletics and society." Past recipients have included: Kirby Puckett, former Minnesota Twins outfielder and 10-time All Star; Joan Be-

noit Samuelson, gold medalist in the first women's Olympic marathon in 1984; and Joe Paterno, longtime head football coach at Penn State University. This year, the Institute will honor over 15 individuals including Mills Lane, district court judge of Reno, Nevada and internationally known professional boxing referee; Bud Greenspan, renowned Olympic cinematographer; Billy Packer, CBS sports commentator; and Ken Dryden, president and general manager, Toronto Maple Leafs.

Another key component of National Sportsmanship Day is the Student-Athlete Outreach Program. This program encourages high schools and colleges to send talented student-athletes to local elementary and middle schools to promote good sportsmanship and serve as positive role models. These students help young people build self-esteem, respect for physical fitness, and an appreciation for the value of teamwork.

If all those activities were not enough, the Institute has found another avenue to promote understanding and good character for youngsters. A new program called Renaissance Education was instituted in 1996 to expose students to the foundations of "total education." The Renaissance Education concept gives students the opportunity to contribute to a team effort and profit from the benefits of team participation. To kick-off this program, the Institute will host its first-ever Renaissance Games in April where students will participate in sports, leisure, cultural, and academic activities such as: basketball, volleyball, photography, public speaking, creative writing, chess, board games, spelling bees, and library research.

I remain very proud that National Sportsmanship Day was initiated in Rhode Island, and I applaud the students and teachers who are participating in the events of this inspiring day. Likewise, I congratulate all of those at the University of Rhode Island's Institute for International Sport, whose hard work and dedication over the last eight years have made this program so successful.

Mr. President, it is my understanding that S. 1173 will be the matter before the Senate?

The PRESIDING OFFICER. The Senator is correct.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1173, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1173) to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

The Senate resumed consideration of the bill with a modified committee amendment in the nature of a substitute (Amendment No. 1676).

Mr. CHAFEE. It is my understanding the distinguished Senator from Minnesota has an amendment which he wishes to present. What we would like to do, if it is agreeable with him, is he could present his amendment and discuss it but we not proceed to a vote until we have had an opportunity to check with the Labor Committee, and check some other factors. So he and I could work together on when would be a good time to call it up for a vote.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I have talked to the distinguished Senator from Rhode Island. I will send an amendment to the desk, but I will not be asking for a vote until after we work together on this. I certainly hope there will be support for it. I thank the Senator from Rhode Island for his graciousness.

AMENDMENT NO. 1679 TO AMENDMENT NO. 1676

(Purpose: To require the Secretary of Health and Human Services to report on the number of former recipients of public assistance under the State temporary assistance to needy families programs that are economically self-sufficient)

Mr. WELLSTONE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 1679.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 309, between lines 3 and 4, insert the following:

SEC. 18. REPORT ON THE STATUS OF FORMER TANF RECIPIENTS.

Section 413 of the Social Security Act (42 U.S.C. 613) is amended by adding at the end the following:

“(k) REPORT ON THE STATUS OF FORMER TANF RECIPIENTS.—

“(1) DEVELOPMENT OF PLAN.—The Secretary shall develop a plan to assess, to the extent possible based on all available information, the number and percentage of former recipients of assistance under the State programs funded under this part that are, as of the date that the assessment is performed, economically self-sufficient. In determining economic self-sufficiency, the Secretary shall consider—

“(A) the number and percentage of such recipients that are, as of the date of the assessment, employed;

“(B) the number and percentage of such recipients earning incomes at or above 150 percent of the poverty line (as defined in section 673(2) of the Community Services Block