

month, but they will receive this news, and it will be extraordinarily important for them to receive the news that the American Congress, this beacon of hope for the entire world, has spoken once again. Why? Because this again, as I said, Madam Speaker, is the center of dignity and honor and of democracy for the entire world.

Yesterday at a conference going on in Havana right now, the President of something called the Inter-Parliamentary Union, approximately 1,000 members of Parliament from around the world, elected, have gone to Cuba to celebrate their conference while they party. The President of that conference was asked, is there democracy in Cuba? Her name, Najma Heptulla from India. Her answer was, The answer is yes. If we do not believe in it, then we would not have come back. Obviously, the parties, while they are being filmed must be very good. They certainly outweigh the conscience.

But the conscience of this Congress will outweigh other interests today. I am certain that the message will go out very clearly that this Congress in sovereign representation of this Nation once again stands with the oppressed Cuban people.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself the remaining time.

In closing, I would like to quote directly from House Resolution 91 to indicate the importance of speaking out against these practices, and I am going to quote from two important figures from the Czech Republic and the Polish movement, two of the Republics that are helping us in passing the resolution and promoting it in Geneva next week. It reads, "President Havel, an essential figure in the Czech Republic's transition to democracy, has counseled that we thus know that by voicing open criticism of undemocratic conditions in Cuba, we encourage all the brave Cubans who endure persecution and years of prison for their loyalty to the ideals of freedom and human dignity"; and "former President Lech Walesa, leader of the Polish solidarity movement," who has urged the world to "mobilize its resources, just as was done in support of the Polish solidarity movement and the Polish workers to express their support for Cuban workers and to monitor Cuban labor rights" in Cuba.

We thank these leaders for the human rights agenda in Geneva, and we hope that our colleagues will help us in passing House Resolution 91 today.

Mr. MENENDEZ. Madam Speaker, Cuba is a totalitarian state controlled by Fidel Castro. The Government's human rights record remains a poor one. It continues to violate systematically the fundamental civil and political rights of its citizens, who do not have the right to change their government peacefully.

The Government retaliates systematically against those who seek political change. Members of the State security forces and prison officials continue to beat and otherwise abuse detainees and prisoners, neglecting them, isolating them and denying them medical treatment.

The authorities routinely threaten, arbitrarily arrest, detain, imprison and defame human rights advocates and members of independent professional associations, often with the goal of coercing them into leaving the country. The government severely restricts worker rights, including the right to form independent trade unions. It requires children to do farm work without compensation during their summer vacation.

Political prisoners are estimated at between 300 and 400 persons. Charges of disseminating enemy propaganda can bring sentences of up to 14 years. The Universal Declaration of Human Rights, international reports of human rights violations and mainstream foreign newspapers and magazines constitute enemy propaganda. The Government controls all access to the Internet, and all email messages are subject to censorship.

All media must operate under party guidelines and reflect government views. The Government attempts to shape media coverage to such a degree that it exerts pressure on domestic journalists and on foreign correspondents.

The law punishes any unauthorized assembly of more than three persons, including those for private religious services in a private home. The authorities have never approved a public meeting by a human rights group. The Government continues to restrict freedom of religion. The Government prohibits, with occasional exceptions, the construction of new churches.

Madam Speaker, these are not my words. They are not the words of the Cuban American National Foundation. They are the dispassionate words of the State Department Human Rights Report.

I'll close with two specific accounts of Cubans who suffer under Castro.

Dr. Oscar Elias Biscet, a doctor and human rights leader, was imprisoned for hanging a Cuban flag upside down. He has been beaten and, during several prolonged periods placed in punishment cells in isolation, prohibited from receiving visitors, food, clothes and books—including the Bible. This is worse even than the treatment given to Nelson Mandela as a prisoner.

Dorca Cespedes, a reporter for independent Havana Press, was told by the director of her daughter's daycare center, that the toddler could no longer attend, due to the mother's "counterrevolutionary" activities.

Dr. Biscet has been called the Martin Luther King, Jr. of Cuba.

Ms. Cespedes could be any one of us—a parent trying to make a living and raise her child in a life of truth and justice.

Madam Speaker, any even cursory reading of what's going on in Cuba today tells us that we've seen this totalitarianism before. We've seen it for decades in Cuba, just as we saw it for decades in the former Soviet bloc.

Madam Speaker, let us today recall our support for human rights and democracy in the former Soviet Union and Eastern Europe, and let us pledge, by agreeing to this resolution, the same support for Cubans endeavoring to seek truth and break free.

Whatever a member feels about our policy towards Cuba with regard to the economic sanctions, there is no excuse for not agreeing to this resolution condemning the human rights practices of Cuba's government.

I thank the gentleman from New Jersey for bringing it before us; I am proud to be an

original cosponsor of the resolution; and I urge its unanimous adoption today by the House.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, House Resolution 91.

The yeas and nays were taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### URGING INTRODUCTION OF U.N. RESOLUTION CALLING UPON THE PEOPLE'S REPUBLIC OF CHINA TO END ITS HUMAN RIGHTS VIOLATIONS IN CHINA AND TIBET

Ms. ROS-LEHTINEN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 56) urging the appropriate representative of the United States to the United Nations Commission on Human Rights to introduce at the annual meeting of the Commission a resolution calling upon the People's Republic of China to end its human rights violations in China and Tibet, and for other purposes, as amended.

The Clerk read as follows:

##### H. RES. 56

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas, according to the Department of State and international human rights organizations, the Government of the People's Republic of China continues to commit widespread and well-documented human rights abuses in China and Tibet;

Whereas the People's Republic of China has yet to demonstrate its willingness to abide by internationally accepted norms of freedom of belief, expression, and association by repealing or amending laws and decrees that restrict those freedoms;

Whereas the Government of the People's Republic of China continues to ban and criminalize groups it labels as cults or heretical organizations;

Whereas the Government of the People's Republic of China has repressed unregistered religious congregations and spiritual movements, including Falun Gong, and persists in persecuting persons on the basis of unauthorized religious activities using such measures as harassment, prolonged detention, physical abuse, incarceration, and closure or destruction of places of worship;

Whereas authorities in the People's Republic of China have continued their efforts to extinguish expressions of protest or criticism, have detained scores of citizens associated with attempts to organize a peaceful opposition, to expose corruption, to preserve

their ethnic minority identity, or to use the Internet for the free exchange of ideas, and have sentenced many citizens so detained to harsh prison terms;

Whereas Chinese authorities continue to exert control over religious and cultural institutions in Tibet, abusing human rights through instances of torture, arbitrary arrest, and detention of Tibetans without public trial for peacefully expressing their political or religious views;

Whereas bilateral human rights dialogues between several nations and the People's Republic of China have yet to produce substantial adherence to international norms; and

Whereas the People's Republic of China has signed the International Covenant on Civil and Political Rights, but has yet to take the steps necessary to make the treaty legally binding: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) strongly supports the decision of the United States Government to offer and solicit cosponsorship for a resolution at the 57th Session of the United Nations Human Rights Commission in Geneva, Switzerland, calling upon the Government of the People's Republic of China to end its human rights abuses in China and Tibet, in compliance with its international obligations; and

(2) urges the United States Government to take the lead in organizing multilateral support to obtain passage by the Commission of such resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

#### GENERAL LEAVE

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution now under consideration.

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

There was no objection.

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

Madam Speaker, as a cosponsor of House Resolution 56, I rise in support of the manager's amendment and urge my colleagues to vote in favor of this important resolution, which urges the passage of a U.S.-sponsored resolution at the U.N. Commission on Human Rights which calls upon the Chinese Government to end its human rights violations in China and Tibet.

During committee consideration, the chairman requested unanimous consent that the Chair be authorized to seek consideration of House Resolution 56 on the House suspension calendar.

□ 1530

No objection was heard. The manager's amendment includes an amendment by the gentleman from California (Mr. LANTOS) updating the resolution to reflect the fact that the Bush administration has introduced a resolution at the Human Rights Commission

in Geneva concerning the deplorable human rights condition in the People's Republic of China. The title will be amended to reflect the modifications made by the manager's amendment.

This resolution is a statement of fact outlining that China is an authoritarian state which continues to systematically violate the human rights of everyone, and the civil and political liberties of all of its citizens. State security personnel are responsible for numerous abuses, such as political and other extrajudicial killings, lengthy incommunicado detentions, and the use of torture.

National, racial, and ethnic minorities remain subject to intense persecution and discrimination. The authorities frequently launch campaigns to crack down on opposition and pro-democracy groups. Freedom of movement, speech, assembly, and association are severely restricted. The controls on religious worship have intensified, with harassment of church leaders and other faithful, including fines, detentions, physical abuse, and torture. Many houses of worship have been destroyed.

Trafficking in persons, mainly women and children, for forced prostitution or illegal forced labor continues, placing this segment of the population in constant risk of slavery.

Recently, we have seen how their blatant disregard for the universal rights and liberties of human beings extends to foreign visitors, as reflected by the detention of academics by the Chinese regime. Dr. Xu Zerong, a Ph.D. from Oxford University, was detained last fall; and to date the Chinese authorities have not offered any explanation for his continued detention. His family still does not know where he is being held.

Professor Li Shaomin, a U.S. citizen who teaches business at the City University of Hong Kong, was arrested on February 25. The Chinese have yet to present any information regarding charges against him.

There is the case of Dr. Gao Zhan, a research scholar based at American University, detained last month by Chinese authorities.

Just today, Human Rights Watch's Academic Freedom Committee sent the letter to the Chinese leader to protest these detentions, and calling on the Chinese leadership to follow internationally recognized standards of due process to protect the lives and the rights of these scholars.

Further, there is the grim situation that the U.S. is facing of protecting and securing the safe return of 25 Americans being held hostage by the PRC. This picture paints a profound and widespread violation of internationally recognized human rights norms.

The People's Republic of China must be held accountable for its action. Constant pressure from the U.S. and the international community is vital if any improvements are to take place in

China. The resolutions before us are an important part of that strategy.

I am proud that the Bush administration has rejected the view that Beijing is our strategic partner and considers passage of the China human rights resolution one of its top priorities in Geneva.

As the U.S. delegation works to ensure debate on human rights conditions in China and to secure the votes for a resolution calling on China to end its terrible human rights practices, let us show them our full support by voting in favor of the manager's amendment to House Resolution 56.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of this resolution. It was with sincere sadness that I introduced this resolution a month ago, and that I now ask my colleagues to strongly support this resolution.

When I introduced this resolution, Madam Speaker, 24 American airmen were not held captive on a Chinese island, contrary to all provisions of international law, and it is a sheer coincidence that we are considering this resolution at the very time when the attention of the United States and, indeed, much of the world is directed at Beijing to see how they will function in this self-induced and self-created crisis.

When I introduced my resolution a month ago, as all Americans, I also was hoping optimistically that the Chinese government would take at least a few minimal steps to improve the abominable human rights record of the People's Republic of China. Unfortunately, the State Department's Human Rights Report indicates that the human rights situation in China this past year has become worse.

As the report demonstrates, the government of China continues to use torture, forced confessions, arbitrary arrest and detention, and the general denial of due process. The government of China restricts freedom of speech. It restricts the freedom of the press. It denies freedom of religion, including the most brutal crackdown on the Falun Gong spiritual movement, Tibetan Buddhists, Muslims, and, of course, Christians.

The Chinese government continues to subject vast numbers of political prisoners to forced labor, and it prevents the formation of independent trade unions or independent nongovernmental organizations.

The resolution before the House today indicates strong support for the decision of our administration to offer a resolution at the Human Rights Commission in Geneva calling on the Chinese government to end its human rights abuses, both in China and in Tibet.

In the past, Congress has passed similar resolutions, but unfortunately, the Chinese government usually prevails in

Geneva on a so-called no-action motion. Under this devious parliamentary tactic, the Chinese government successfully prevents even the consideration of our resolution.

The Chinese prevail in this vote not because the international community recognizes its performance in the human rights field, but because the Chinese government systematically threatens commercial contracts with the developed world and threatens to deny foreign aid to poor nations.

I am under no illusion, Madam Speaker, that it will be anything but an uphill battle to prevail in Geneva this year and to win passage of the China human rights resolution.

I commend the President and the Secretary of State, Colin Powell, for moving forward with this effort. I will do whatever I can to urge other governments to support our effort.

In all candor, let me state, Madam Speaker, that I am particularly disappointed in the countries of the European Union as they continue to shirk their responsibilities to promote internationally recognized human rights. The European Union ministers have already announced that they will not co-sponsor the American resolution.

Ultimately, some of them will vote with us, but it is a shame that the Europeans continue to bury their heads in the sand, desperately hoping that trade with China will magically bring about the creation of a Chinese civil society based on internationally recognized human rights.

I would like to take just one specific example of the intensity and flavor of human rights violations in China. Recently, Madam Speaker, as we know, the Chinese government imprisoned an American University researcher, Gao Zhan, and her family on the phony charge of espionage. Now, Gao Zhan is an academic who has conducted research related to the status of women. She and her husband are permanent residents of the United States, and their son, Andrew, 5 years old, is an American citizen.

Gao and her family had gone to China to visit her family. They were standing in line at the Beijing airport preparing to get on the plane to come back to their home in the United States. Out of nowhere, Chinese officials emerged and pulled all three family members out of line and hustled them into separate cars.

Gao was put in prison, we do not know where. As of today, her whereabouts are unknown. Her husband was blindfolded and driven 2 hours to an unknown location, and their 5-year-old son was taken to a government facility, even though his grandparents live in the city, where they happened to be.

One of my grandchildren is 5 years old. I can imagine the fear and the horror and the pain and the nightmare a 5-year-old must go through as out of the blue his mother and father are arrested, taken to separate government police cars, and taken away. This little

boy for 26 days, 26 consecutive days, did not see his mother, his father, or his grandparents.

This degree of insensitivity to fundamental human rights of a little 5-year-old child is an index of the degree to which the Chinese government respects human rights today.

I strongly urge my colleagues to support this resolution. There is nothing I would like to see more than good relations with China. I have the highest regard for the Chinese people. They represent one of the great civilizations on the face of this planet. They have all the opportunity of building an advanced, civilized society, but they must not do it by trampling on the human rights of their citizens, or on the fundamental human rights of a little 5-year-old American citizen who was deprived for 26 days from contact with his family.

Madam Speaker, I ask my colleagues to support this resolution, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. GILMAN), the chairman emeritus of our committee.

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

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

Madam Speaker, I am pleased to rise in strong support of this resolution, House Resolution 56, a resolution urging our Nation's representative to the U.N. Commission on Human Rights to move ahead with this resolution at the annual meeting of the Commission in Geneva, a resolution calling upon the People's Republic of China to end its human rights violations in China and in Tibet.

I commend our ranking minority member, the gentleman from California (Mr. LANTOS), for crafting this resolution. I thank our chairwoman, the gentlewoman from Florida (Ms. ROS-LEHTINEN), for swiftly bringing it to the floor at this time.

Recently, Madam Speaker, our State Department announced it is going to introduce such a resolution. On February 26, the same day its Human Rights Report was released, the State Department spokesman, Phillip Reeker, said the U.S. decision to go forward with the resolution is based upon the fact that the Chinese government's abysmal human rights record has continued to deteriorate over the past year.

We commend the administration for this decision. Regrettably, Beijing has managed year after year to muzzle the Human Rights Commission by passing a no-action motion on similar resolutions. Accordingly, there is usually no debate on the resolution, and as a result, it almost never comes up for a vote before the Commission.

Unless the international community, our Nation included, finally manages

to take a strong stand against Beijing's abuses of human rights, then its leaders will only become more emboldened to take further repressive action against Christians, against Buddhists, Muslims, and other religious groups within that Nation.

Past failure to condemn China has undoubtedly led to the severe crackdown against Christian house churches, against Buddhists in Tibet, Muslims in east Turkistan, and millions of Chinese Falun Gong followers.

□ 1545

Madam Speaker, I am particularly concerned that Beijing has continued to stonewall any possible meeting with His Holiness, the Dalai Lama; and unless they reach out and grasp the olive branch that His Holiness offers, the regional instability will continue to grow worse.

Accordingly, I urge my colleagues to fully support this resolution, and I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for yielding the time to me.

Mr. LANTOS. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Washington (Mr. MCDERMOTT), my good friend.

Mr. MCDERMOTT. Madam Speaker, I have great respect for my colleagues here on the floor who have put this resolution forward. However, I seriously question the decision to bring this bill to the House for debate today.

I know the decision was made last week. It was made before the events of the weekend have occurred, and it seems to me that in choosing to bring such a resolution to the floor at a time when the Chinese Government is holding 24 American servicemen in Hainan incommunicado even after repeated requests by our embassy to visit with them is an unnecessary step for us to be taking.

Madam Speaker, I called the White House today and asked them what position they had on this resolution; they do not have one. I do not know what that says about the 24 people from the State of Washington who are being held in Hainan Island.

It is not that I am unsympathetic with this bill. I have traveled to Dharmasala. I talked to the Dalai Lama in his own place. I have discussed with him at length the Tibetan problems.

I visited Nepal and talked with refugees from Chinese rule there. I have many of them living in my own city. And I do not come frivolously to this floor to discuss this issue, but I do believe that we could easily postpone it until we have resolved whatever is happening on Hainan.

I think we have American diplomats even at this moment negotiating for the release of the crew of the EP-3 and trying to get negotiations started for the freedom of those servicemen; and either we believe this resolution means something and therefore will have an impact, and I think most of us who

have traveled abroad have seen the impact of resolutions on the floor of the House in the newspapers and on television of other countries, or you do not believe this resolution has any impact at all, and I think we must consider very carefully what the impact of this kind of a resolution is when we are going to be back here in a couple of weeks and we could deal with it.

Madam Speaker, I understand the conference is on now, but I really think that we have to think long and hard about timing. The timing was not one we made, and I am not blaming anybody here for choosing to put it up today. I would be supporting it wholeheartedly if I did not know what had gone on this weekend.

I think for that reason we ought to consider seriously whether or not we want to go forward with this.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 7 minutes to the gentleman from New Jersey (Mr. SMITH), the vice chairman of our Committee on International Relations.

Mr. SMITH of New Jersey. Madam Speaker, I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN), my good friend, for yielding the time to me.

Madam Speaker, I want to congratulate the gentleman from California (Mr. LANTOS) on his sponsorship of this very important resolution.

I am very proud to be one of the co-sponsors, and I want to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) the distinguished and effective chair of the International Operations and Human Rights Committee for her work and the gentleman from Illinois (Mr. HYDE) the Chairman of the Full Committee for moving this legislation to the floor.

I would just say to the previous speaker, the gentleman from Washington (Mr. MCDERMOTT), that this resolution simply tells the truth, and it seems to me that truth-telling should always be in season; but there is also the timeliness issue. The U.N. Human Rights Commission is currently meeting in Geneva, and Members should be aware that decisions are being made by various delegations and by various diplomats right now.

A postponement of this resolution could mean the loss of a vote or two from delegates who might think that we are ducking the issue or having second thoughts that perhaps we are not as serious as we have said we are. Of course nothing could be further from the truth. We are indeed very, very serious.

Time is not on our side. There is only a few weeks left for deliberations by the U.N. Commission on human rights.

Madam Speaker, I have been there. I lobbied delegations on behalf of human rights in the past. We need to send this message right now that we are very serious about human rights in China. No ifs, ands or buts, about it!

Madam Speaker, just let me say that the new tension created by the holding

of 24 American servicemen by the People's Republic of China—a crisis situation that all of us want to see resolved immediately—only underscores anew how the policies of the Beijing dictatorship are harsh and unreasonable and how those policies have continued to worsen and to deteriorate with each and every passing year.

Sadly, universally recognized norms and international laws have no meaningful application to the dictatorship. The dictatorship in Beijing mocks the rule of law.

Madam Speaker, any honest assessment of China's record on human rights makes it abundantly clear that the leaders who rule China with an iron fist have no respect whatsoever for human life, especially the lives of their own citizens, especially the lives of women and children.

Madam Speaker, forced abortion is an unspeakable cruelty to women and babies, and was properly construed to be a crime against humanity at the Nuremberg War Crimes tribunals when the Nazis were held to account. Today, the crime of forced abortion in China is pervasive, it is systematic, and it is common place.

Forced abortion in China is state-sponsored violence against women and children. As I think many Members know, as a means of enforcing what they call their one-child-per-couple policy, first announced back in 1979, the Chinese Government routinely coerces mothers in China, to have abortions often late in pregnancy or to undergo forced sterilization or mandatory birth control.

Over the past decade, Madam Speaker, I have led three human rights trips to China. I have met with Li Peng, the gentleman from Virginia (Mr. WOLF) and I raised human rights issues; face to face he just dismissed it out of hand as if it was all exaggerated and fabricated. There was no engagement—constructive or otherwise.

I have chaired over 18 hearings and markups on legislation pertaining to Chinese human rights abuses; and in the 1980s and the 1990s, I and many others in this Chamber have repeatedly spoken out against forced abortion and forced sterilization in China as well as other egregious abuses.

To my shock and to my dismay, many family planning organizations like Planned Parenthood have decided to either look the other way, as millions of Chinese women are cruelly forced to undergo abortion, or in the case of the U.N. Population Fund to aggressively defend it, to whitewash these abuses as “nonexistent” or as the “exception”, rather than the rule.

Madam Speaker, at one of my hearings we heard from a woman by the name of Mrs. Gao. Mrs. Gao ran one of the family planning programs in Fukien Province. She made the point that during the course the decade that she ran the program, they literally would take women and put them or their relatives behind bars until they acceded to the so-called “voluntary” abortion.

She finally summed up her testimony by saying, by day, I was a monster; by night, a wife and mother.

It seems to me, Madam Speaker, that the Chinese Population Control Program is a “monster”—a monstrous abuse of women; and the indifference of both the East and the West makes us, however unwittingly, complicit in these crimes.

Madam Speaker, just let me say that I encourage Members to read the country reports on human rights practices, all 59 pages dedicated to what is going on in the People's Republic of China. That report is very accurate; and it makes the point in the declarative sentence near the beginning and I quote,

The government's poor human rights record worsened, and it continued to commit numerous serious abuses. The government intensified crackdowns on religion and in Tibet, intensified its harsh treatment of political dissent and suppressed any person or group perceived to be a threat to the government.

The State Department report goes on to say that by the end of the year 2000, and I quote,

Thousands of unregistered religious institutions have either been closed or destroyed, and hundreds of Falun Gong leaders have been imprisoned, thousands have been sent to the lao gai, or mental institutions.

The report notes, and I think Members need to take note of this, that more than 100 Falun Gong practitioners were tortured to death in Chinese prisons. Death by torture is often a long, exceedingly painful ordeal. It does not happen overnight. After daily beatings and deprivations of food and sleep, finally the victim succumbs to death as a result of those beatings and abuse.

Madam Speaker, the United Nations has documented and numerous human rights groups like Human Rights Watch and Amnesty and, of course, our own Country Reports on Human Rights Practices that torture is endemic in China. If you are arrested as a political prisoner, a religious dissenter or even a common criminal, they beat you black and blue, sometimes to death. That is the reality of what is going on in the People's Republic of China.

Let me just finally say something about truth-telling. Some years back, President Clinton invited Chu Haotien to the United States—the Butcher of Beijing, the man who literally ordered the crackdown on the students at Tiananmen Square, and said, go and bayonet and kill and maim and hunt down those individuals.

After he was invited here, he was at the U.S. War College and gave a speech and made the outrageous claim—a big lie—that no one died at Tiananmen Square.

My staff and I quickly put together a hearing and invited eyewitnesses to that massacre; and we invited Chu Haotien to come and testify, or anyone else from the Chinese Government, including Ambassador Li. We had an empty chair because nobody showed up.

We heard from an editor from the People's Daily in China, who accurately reported on the killing—and paid a big price—and we heard from a Time Magazine correspondent and a host of others, others who gave witness to the big lie uttered by General Chu.

I see I'm out of time—I have so much more to say. Suffice to say, this resolution puts us on record in favor of the oppressed, and the persecuted, and encourages the Bush administration to continue its work on behalf of human rights.

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

Madam Speaker, I want to thank all of my colleagues on the other side for their eloquent and strong support.

I would like to comment briefly on the observation of the gentleman from Washington (Mr. McDERMOTT) about timing. I have the highest regard for my colleague from Washington, and his statement was a carefully thought through and serious one.

Upon reflection, it seems to me that it would be unconscionable for this body not to deal with the issue of human rights violations in China as the U.N. Commission is dealing with the question of whether or not to support this resolution.

It will be interesting to see whether the Chinese Government will add to the human rights violations of its own people, human rights violations of 26 American servicemen. I hope and pray that they will not, but it would be singularly unacceptable to be intimidated by the current situation on that island.

The Chinese are illegally holding 26 American servicemen. This is a fact. It is also a fact that millions of Chinese are deprived day in and day out of their fundamental human rights, and this body will have to speak out on that subject.

Madam Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE), one of the strongest champions of human rights in this body.

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman from California (Mr. LANTOS) for his unending commitment and as well to the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the other speakers that have spoken here.

This is a time, Madam Speaker, that one might pause and offer to tread lightly. We do know that there are American citizens, military personnel, our men and women, who have offered themselves for our freedom now held incognito, without opportunity to speak in China. I respect that and would want to be cautious in saying to this body that we are respectful of the negotiations, and we want our loved ones, our Americans, the Americans that are held illegally and against all international agreements, back immediately.

At the same time, I thank the gentleman from California (Mr. LANTOS)

for recognizing that as we speak, the U.N. conference is being held, and we would be shamed if our voices were silent.

I come wearing a particularly difficult hat, because I was convinced about 6 months ago to vote for the PNTR. I spoke with President Carter who spoke about the energy and democracy that was occurring in the villages. I was excited about that.

I spoke with many others who felt that if you opened the doors of dialogue and communication that we would bring to China the sense of the world ownership or membership, if you will, owning into the world's desire for opportunities for all of the world's people.

Madam Speaker, I was very troubled by the debate in PNTR, because the human rights issues were of great concern. At that time the Falun Gong attacks were continuing. Suicides in the squares were going on. People were mutilating themselves or burning themselves out of protest.

□ 1600

But yet there was this discussion that religion was rising in enthusiasm and that we should give China the opportunity.

I am somewhat saddened that we now speak in the month of April 2001 and that we can list a litany of infractions or violations, more so for people who are incarcerated, it is their life, that we see ongoing in China.

During the debate, it was said that China does not move as fast as the world does; that we do not understand its culture; that we have to understand what its place is in the world. And, frankly, some of that was appealing or attractive. Yet we find ourselves today longing for China to have made the commitment that we wished it had made and had turned the corner on some of the acceptance of the various religious groups and as well the right to be free.

As the gentleman from California (Mr. LANTOS) knows, because I spoke to him earlier today, I am so struck by the words of Gao Zhan's husband, the professor who is now held in China, along with many other academicians. It is well known that she has gone to China on many occasions visiting her family. It is well known that her lawyer says she is not a spy. Her husband just received his citizenship. She was separated from her husband some 26 or so days. She is being held.

How can any one of us not be frightened and appalled and outraged about the family separation, even while they were in China, to the extent that the 5-year-old boy was separated from his father and his mother, and still today remains without a mother. This seems to be an incident that was not provoked, that China did not have to engage in. The family was on their way out of the country; not in the country, trying to get in.

What merciful reason, what reason can they give to explain the stopping of

this family at that time? What reason can they give for not stopping them and questioning them and releasing them? Absolutely none.

So I rise to support this resolution because I hope as the proceedings are going on, there will be a vote that expresses the United States' outrage of China's behavior.

Madam Speaker, we will offer a bill tomorrow to give Gao the citizenship that she deserves, because we believe that the voices of reason are not being heard in China, and that they continuously renounce, reject the hand of friendship, the hand of peace, the hand of understanding that many of us have tried to give in the United States Congress.

I applaud the gentleman from California (Mr. LANTOS) for his leadership on this legislation, and my prayers go out to the men and women that are detained, both Chinese and American, and to their families I say that we will work every day to secure their safe return.

Madam Speaker, I rise in very strong support of H. Res. 96, Direct U.S. To Condemn Chinese Human Rights Violations. This resolution says that China cannot suppress religious and cultural institutions and expect to pursue the economic reforms it must pursue for its development and prosperity. As Victor Hugo wrote in 1887, "An invasion of armies can be resisted; an invasion of ideas cannot be resisted."

According to the U.S. State Department and international human rights organizations, the Chinese government continues to commit widespread and well-documented human rights abuses in China and Tibet. They also say China has yet to demonstrate its willingness to abide by internationally accepted norms of freedom of belief, expression, and association by repealing or amending laws that restrict those freedoms. Finally, China continues to ban and criminalize groups that it labels as cults or heretical organizations, such as Falun Gong. Practitioners of Falun Gong are persecuted for no reason other than being well organized as a religious group in China.

This resolution expresses the sense of the House that at the upcoming annual session of the U.N. Human Rights Commission in Geneva, the United States should solicit cosponsorship for a resolution calling upon the Chinese government to end its human rights abuse in Cuba and Tibet, in compliance with its international organization; and that the U.S. government should take the lead in organizing multilateral support to obtain passage by the commission of such a resolution.

This measure states that Chinese authorities have committed to suppress protest criticism. The Chinese leadership is plainly uncomfortable with organized dissent. Furthermore, H. Res. 56 states that Chinese citizens have been detained for peaceful opposition, attempting to expose corruption, trying to preserve ethnic minorities and using the Internet.

H. Res. 56 makes clear that China continues—with impunity—to exert control over religious and cultural institutions in Tibet, abusing human rights through instances of torture, arbitrary arrests and detentions of Tibetans, without public trials, for peacefully expressing their political or religious views; that

bilateral talks with several nations and China have yet to produce substantial adherence to international norms; and that China has signed the International Covenant on Civil and Political Rights but has yet to take the steps necessary to make the treaty legally binding.

Despite the recent crackdown against religious and cultural institutions in China, some progress has been made through a commitment to normalize relations between our nations. But we must be vigilant, nevertheless, in speaking out for those who cannot speak. Madam Speaker, I urge my colleagues to vote in favor of the resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART), who will be in Geneva carrying forth the message of the United States for freedom for the Chinese people.

Mr. DIAZ-BALART. Madam Speaker, I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for yielding me this time.

With regard to some confusion that may have arisen based on some comments made previously from the other side of the aisle, I wish to say that it is the Bush administration, Madam Speaker, which has demonstrated their possession of the dignity as well as the vision to introduce precisely the resolution in Geneva that this resolution before us today is in support of.

The regime in mainland China is a brutal, totalitarian, cowardly, rogue regime that tortures men and women due to their religious and political beliefs. It is a regime that brutally forces abortion on its women once they have met Orwellian quotas of birth control. The least that we can do in this Congress today to be true to the values, beliefs, and aspirations that gave birth to these United States of America is to support this resolution.

Mr. LANTOS. Madam Speaker, I do not believe we have any additional speakers, but I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. KIRK), a longtime staffer of the Committee on International Relations and now a Member of our institution.

Mr. KIRK. Madam Speaker, I thank the gentlewoman for yielding me this time.

Madam Speaker, China is a powerful nation, but not yet a great nation. Powerful nations muster armies and command territory, but great nations lead mankind and advance human values. China stands on the brink of being either powerful or great, and the events of the recent days disappoint us all and keep China from her own potential.

With regard to the Hainan incident, I speak as a Naval Reserve officer and call on China to return our servicemen and women. Our aircraft was in international waters, unarmed and a danger to no one. China is a party to the Incidents-at-Sea Treaty, an agreement she signed but does not appear to abide by. China must return our servicemen and

women and the aircraft and end this incident now.

A nation like China is measured by how its treats people of different languages and religions. China's record on Tibet is disappointingly clear, and in human rights in general one of abuse and imprisonment for prisoners of conscience. Li Shaomin, recognized in China as a key leader, was jailed for sending e-news to her husband; Gao Zhan was detained February 11, along with her 5-year-old American son; Xu Zerong, an academician, was jailed last fall and still is held incommunicado; and Rabiya Kadir was jailed March 10 for giving her husband newspaper articles.

Children in Tibet today are taught that religion is backward behavior. Nuns and monks make up 74 percent of China's political prisoners, and China regularly jams Radio Free Asia broadcasts designed to keep people informed. We must speak out.

Chun-gua, China, and Mai-gua, the United States, can live in peace and become friends, but this depends on China adhering to international agreements like the Universal Declaration of Human Rights and the Incidents-at-Sea agreements, both agreements China signed, and shared values.

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

This was an eloquent debate, Madam Speaker, and I want to thank all my colleagues. The American people stand united in demanding that our servicemen be released unconditionally and immediately, and we are calling on China to improve its human rights record.

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

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

To close, Madam Speaker, I would like to remind my colleagues that the State Department has given us vote counts and cost sheets. They have come up to the Hill to ensure congressional support and help for the Bush administration's priorities in Geneva. When we talk to the State Department officials, they tell us what their directives have been from the President and the White House. We have been meeting with them for the last 3 months, and they clearly stated that the Secretary of State and the White House ask for daily briefings on the status of the China resolution in Geneva.

Madam Speaker, if Congress does not speak today by voting in favor of the resolution before us, House Resolution 56, the Chinese regime will be able to prevent any discussion on its human rights record in Geneva. Year after year they intimidate members of the Human Rights Commission for a vote of no action on China, silencing the dissidents and the opposition further, removing one critical vehicle for the voices of the oppressed to be tortured in China, and they must be heard.

Again, without U.S. leadership and the full weight of our U.S. Congress behind this resolution and behind the democratic forces in China, the PRC will once again manipulate the U.N. Commission on Human Rights in Geneva to continue its reign of subjugation and terror over the Chinese people.

Let us force the PRC to abide by the covenants and the declarations it has signed. We must stand firm in the face of Chinese aggression against its own people, against foreign visitors and against American citizens.

Madam Speaker, I ask my colleagues to please vote "yes" on the resolution before us.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today in strong support of House Resolution 56, urging the appropriate representative of the United States to the United Nations Commission on Human Rights to introduce at the annual meeting of the Commission a resolution calling upon the People's Republic of China to end its human rights violations in China and Tibet.

Tibet is a country and culture that has garnered international attention in the past several decades. Since 1959, China has implemented a relentless policy and program to erase Tibet from history and existence. The former religious leader of Tibet, the Dalai Lama, was forced to leave Tibet, and now lives in exile in India. There are many other Tibetans who chose to follow him and thus, remain in exile today.

I am particularly concerned with China's human rights record with respect to Tibet, such as repression of freedom of speech, religion, and expression. The Chinese government's policy of suppressing religious, political, and cultural freedom in Tibet is highly disturbing.

I am deeply troubled that monks and nuns make up seventy-four percent of over 250 political prisoners incarcerated in Tibet. While there has been a slight decline in new detentions since 1997 in Tibet, this may be attributed to the implementation and intensification of the Patriotic Education campaign, which requires monks, nuns, and lay persons to denounce the Dalai Lama. However, the number of monks and nuns known to have been detained as a result of opposing the Patriotic Education campaign is a small fraction of those who have been expelled from their monasteries or who have fled from Tibet.

Recently, it has come to my attention that Chinese authorities have increased the jamming of foreign radio broadcasts in Tibet following the allocation of increased resources by Beijing in an attempt to prevent "infiltration" of the airwaves by "foreign hostile forces." It is my understanding that Voice of America, Radio Free Asia and Voice of Tibet, which all cover both international news and news of the activities of the Dalai Lama and the Tibetan community in exile, have encountered intensified jamming of their broadcasts into Tibetan areas over the past four to six months. The Chinese authorities have also announced an expansion of state-run Tibetan language broadcasting, including the training of more Tibetan journalists and new programs in Kham and Amdo dialects, in order to counter foreign

radio broadcasters. It is my belief that this intensified focus to jam such broadcasts is a result of the Chinese government's recent emphasis on propaganda work in Tibet, an important element of Beijing's campaign to develop the western regions of China.

The United States has a moral obligation to pursue strong diplomatic pressures which assert an end to civil persecutions not only in Tibet but all countries where individual liberties are routinely repressed. I join by colleagues in voicing every American's opposition to these atrocities and acts of repression.

I commend Congressman FRANK WOLF from Virginia for his leadership in bringing attention to the plight of the Tibetan people and Tibetan culture, and I urge my colleagues from both sides of the aisle to support this important resolution.

The SPEAKER pro tempore (Mr. SHAYS). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 56, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### SMALL BUSINESS INTEREST CHECKING ACT OF 2001

Mr. OXLEY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 974) to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, and for other purposes, as amended.

The Clerk read as follows:

H.R. 974

*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 "Small Business Interest Checking Act of 2001".

#### SEC. 2. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED.

(a) REPEAL OF PROHIBITION ON PAYMENT OF INTEREST ON DEMAND DEPOSITS.—

(1) FEDERAL RESERVE ACT.—Section 19(i) of the Federal Reserve Act (12 U.S.C. 371a) is amended to read as follows:

“(i) [Repealed].”

(2) HOME OWNERS' LOAN ACT.—The first sentence of section 5(b)(1)(B) of the Home Owners' Loan Act (12 U.S.C. 1464(b)(1)(B)) is amended by striking "savings association may not—" and all that follows through "(ii) permit any" and inserting "savings association may not permit any".

(3) FEDERAL DEPOSIT INSURANCE ACT.—Section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended to read as follows:

“(g) [Repealed].”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect at the end of the 2-year period beginning on the date of the enactment of this Act.

#### SEC. 3. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED FOR ALL BUSINESSES.

Section 2 of Public Law 93-100 (12 U.S.C. 1832) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(3) EXCEPTION FROM PARAGRAPH (2) LIMITATION.—Paragraph (2) shall not apply to any depository institution which is prohibited by the applicable law of its chartering State from offering demand deposits and either—

“(A) does not engage in any lending activities; or

“(B) is not an affiliate of any company or companies with assets that, in the aggregate, represent more than 10 percent of the total assets of the depository institution.”;

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

“(b) Notwithstanding any other provision of law, any depository institution may permit the owner of any deposit or account which is a deposit or account on which interest or dividends are paid and is not a deposit or account described in subsection (a)(2) to make up to 24 transfers per month (or such greater number as the Board may determine by rule or order), for any purpose, to another account of the owner in the same institution. Nothing in this subsection shall be construed to prevent an account offered pursuant to this subsection from being considered a transaction account (as defined in section 19(b) of the Federal Reserve Act for purposes of such Act).”

#### SEC. 4. PAYMENT OF INTEREST ON RESERVES AT FEDERAL RESERVE BANKS.

(a) IN GENERAL.—Section 19(b) of the Federal Reserve Act (12 U.S.C. 461(b)) is amended by adding at the end the following new paragraph:

“(12) EARNINGS ON RESERVES.—

“(A) IN GENERAL.—Balances maintained at a Federal reserve bank by or on behalf of a depository institution may receive earnings to be paid by the Federal reserve bank at least once each calendar quarter at a rate or rates not to exceed the general level of short-term interest rates.

“(B) REGULATIONS RELATING TO PAYMENTS AND DISTRIBUTION.—The Board may prescribe regulations concerning—

“(i) the payment of earnings in accordance with this paragraph;

“(ii) the distribution of such earnings to the depository institutions which maintain balances at such banks or on whose behalf such balances are maintained; and

“(iii) the responsibilities of depository institutions, Federal home loan banks, and the National Credit Union Administration Central Liquidity Facility with respect to the crediting and distribution of earnings attributable to balances maintained, in accordance with subsection (c)(1)(B), in a Federal reserve bank by any such entity on behalf of depository institutions.”

(b) AUTHORIZATION FOR PASS THROUGH RESERVES FOR MEMBER BANKS.—Section 19(c)(1)(B) of the Federal Reserve Act (12 U.S.C. 461(c)(1)(B)) is amended by striking “which is not a member bank”.

(c) SURVEY OF BANK FEES AND SERVICES.—Section 19 of the Federal Reserve Act (as amended by subsections (a) and (b) of this section) is amended by adding at the end the following new subsection:

“(n) SURVEY OF BANK FEES AND SERVICES.—

“(1) ANNUAL SURVEY REQUIRED.—The Board shall obtain annually a sample, which is representative by type and size of the institu-

tion and geographic location, of the following retail banking services and products provided by insured depository institutions and insured credit unions (along with related fees and minimum balances):

“(A) Checking and other transaction accounts.

“(B) Negotiable order of withdrawal and savings accounts.

“(C) Automated teller machine transactions.

“(D) Other electronic transactions.

“(E) Credit Cards.

“(2) MINIMUM SURVEY REQUIREMENT.—The annual survey described in paragraph (1) shall meet the following minimum requirements:

“(A) CHECKING AND OTHER TRANSACTION ACCOUNTS.—Data on checking and transaction accounts shall include, at a minimum, the following:

“(i) Monthly and annual fees and minimum balances to avoid such fees.

“(ii) Minimum opening balances.

“(iii) Check processing fees.

“(iv) Check printing fees.

“(v) Balance inquiry fees.

“(vi) Fees imposed for using a teller or other institution employee.

“(vii) Stop payment order fees.

“(viii) Nonsufficient fund fees.

“(ix) Overdraft fees.

“(x) Deposit items returned fees.

“(xi) Availability of no-cost or low-cost accounts for consumers who maintain low balances.

“(B) NEGOTIABLE ORDER OF WITHDRAWAL ACCOUNTS AND SAVINGS ACCOUNTS.—Data on negotiable order of withdrawal accounts and savings accounts shall include, at a minimum, the following:

“(i) Monthly and annual fees and minimum balances to avoid such fees.

“(ii) Minimum opening balances.

“(iii) Rate at which interest is paid to consumers.

“(iv) Check processing fees for negotiable order of withdrawal accounts.

“(v) Check printing fees for negotiable order of withdrawal accounts.

“(vi) Balance inquiry fees.

“(vii) Fees imposed for using a teller or other institution employee.

“(viii) Stop payment order fees for negotiable order of withdrawal accounts.

“(ix) Nonsufficient fund fees for negotiable order of withdrawal accounts.

“(x) Overdraft fees for negotiable order of withdrawal accounts.

“(xi) Deposit items returned fees.

“(xii) Availability of no-cost or low-cost accounts for consumers who maintain low balances.

“(C) AUTOMATED TELLER TRANSACTIONS.—Data on automated teller machine transactions shall include, at a minimum, the following:

“(i) Annual and monthly fees.

“(ii) Card fees.

“(iii) Fees charged to customers for withdrawals, deposits, transfers between accounts, balance inquiries through institution-owned machines.

“(iv) Fees charged to customers for withdrawals, deposits, transfers between accounts, balance inquiries through machines owned by others.

“(v) Fees charged to noncustomers for withdrawals, deposits, transfers between accounts, balance inquiries through institution-owned machines.

“(vi) Point-of-sale transaction fees.

“(vii) Surcharges.

“(D) OTHER ELECTRONIC TRANSACTIONS.—Data on other electronic transactions shall include, at a minimum, the following:

“(i) Wire transfer fees.