

by the drug lords. It acknowledges his initial efforts at reform. And it urges President Clinton to encourage and support President Zedillo's initiatives to create a nation of law, combat drug trafficking, investigate political killings—many of which also are related to the drug trade—and to punish official malfeasance.

It is in Mexico's interest to pursue vigorously the investigations of three high-profile murders linked to drug trafficking. The May 1993 murder of Cardinal Juan Posadas, allegedly by drug traffickers led by the kingpins of the so-called Tijuana cartel, Benjamin and Ramon Arellano Felix, shocked the world. However, 2½ years later, the Arellano Felix brothers are still free, even though they reportedly are seen around town.

Then there was the killing of PRI Presidential candidate Luis Donaldo Colosio in Tijuana in March 1994. Drug traffickers and corrupt police officials have been implicated in the killing and in subsequent efforts to obstruct investigations. Two weeks after Colosio's murder, the local police chief was gunned-down while conducting his own investigation into the assassination. In May 1995, the Governor of Baja California confirmed that the Tijuana police chief had been murdered by a Federal Judicial Police officer.

Mr. President, corruption within the police remains a serious problem. In March 1995, 14 officers of the same Federal Judicial Police—a group known for torture, rape, and drug corruption—were accused of stealing and selling cocaine base. Earlier this year, NBC Nightly News aired film footage of Mexican police helping traffickers unload cocaine. And when President Zedillo's appointed chief of police, Juan Pablo de Tavira, decided to purge the force of corrupt officers, he was mysteriously poisoned hours before a meeting with the Attorney General to implement the cleansing of the police force.

In the case of Mexico, President Zedillo must guarantee that his nation will be governed by law—which has not been the case during the PRI's 66-year one-party rule of Mexico. It is not sufficient to arrest an occasional drug lord who has not paid for protection. A consistently applied standard of punishment against all drug traffickers and corrupt government and law enforcement officials, regardless of position or wealth, is crucial.

U.S. programs to combat drug trafficking are a waste if senior foreign government officials assist drug gangs and policemen are in cahoots with traffickers. The U.S. Government must send the message that we support tough antidrug and anticorruption initiatives. While a few dedicated United States officials daily combat drug trafficking, in diplomatic exchanges with Mexico, drug trafficking and corruption are rarely ever mentioned. It seems that U.S. officials fear that the mere mention of drugs will offend their

counterparts and perhaps ruffle cozy diplomatic relationships. This is absurd.

The insidious influence of drug trafficking and political corruption are the greatest threat to both nations' national security. All of us are affected by drugs and crime—much of which is committed by persons under the influence of drugs. We have a responsibility to fight drugs crossing our borders. The lives and well-being of our families, children, and grandchildren are at stake. It is the intent of this resolution to signal our resolve in fighting the scourge of illegal drugs.

SENATE RESOLUTION 181—RELATIVE TO THE SENATE LEGAL COUNSEL

Mr. DOLE (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 181

Resolved, That the appointment of Thomas B. Griffith to be Senate Legal Counsel, made by the President pro tempore this day, shall become effective as of October 24, 1995, and the term of service of the appointee shall expire at the end of the One Hundred Fifth Congress.

SENATE RESOLUTION 182—RELATIVE TO THE DEPUTY SENATE LEGAL COUNSEL

Mr. DOLE (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 182

Resolved, That the appointment of Morgan J. Frankel to be Deputy Senate Legal Counsel, made by the President pro tempore this day, shall become effective as of October 24, 1995, and the term of service of the appointee shall expire at the end of the One Hundred Fifth Congress.

SENATE RESOLUTION 183—MAKING MAJORITY PARTY APPOINTMENTS TO CERTAIN SENATE COMMITTEES FOR THE 104TH CONGRESS

Mr. KEMPTHORNE (for Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 183

Resolved, That the following shall constitute the majority party's membership on the following standing committees for the 104th Congress, or until their successors are chosen:

Appropriations: Mr. Hatfield, Mr. Stevens, Mr. Cochran, Mr. Specter, Mr. Domenici, Mr. Bond, Mr. Gorton, Mr. McConnell, Mr. Mack, Mr. Burns, Mr. Shelby, Mr. Jeffords, Mr. Gregg, Mr. Bennett, and Mr. Campbell.

Finance: Mr. Roth, Mr. Dole, Mr. Chafee, Mr. Grassley, Mr. Hatch, Mr. Simpson, Mr. Pressler, Mr. D'Amato, Mr. Murkowski, Mr. Nickles, and Mr. Gramm.

SENATE RESOLUTION 184—MAKING MAJORITY PARTY APPOINTMENTS TO CERTAIN SENATE COMMITTEES FOR THE 104TH CONGRESS

Mr. KEMPTHORNE (for Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 184

Resolved, That the following shall constitute the majority party's membership on the following standing committees for the 104th Congress, or until their successors are chosen:

Agriculture: Mr. Lugar, Mr. Dole, Mr. Helms, Mr. Cochran, Mr. McConnell, Mr. Craig, Mr. Coverdell, Mr. Santorum, Mr. Warner, and Mr. Grassley.

Banking, Housing, and Urban Affairs: Mr. D'Amato, Mr. Gramm, Mr. Shelby, Mr. Bond, Mr. Mack, Mr. Faircloth, Mr. Bennett, Mr. Grams, and Mr. Domenici.

Commerce, Science, and Transportation: Mr. Pressler, Mr. Stevens, Mr. McCain, Mr. Burns, Mr. Gorton, Mr. Lott, Mrs. Hutchison, Ms. Snowe, Mr. Ashcroft, and Mr. Frist.

Governmental Affairs: Mr. Stevens, Mr. Roth, Mr. Cohen, Mr. Thompson, Mr. Cochran, Mr. McCain, Mr. Smith, and Mr. Brown.

AMENDMENTS SUBMITTED

THE CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY [LIBERTAD] ACT OF 1995

SIMON AMENDMENTS NOS. 2899-2900

(Ordered to lie on the table.)

Mr. SIMON submitted two amendments intended to be proposed by him to the amendment No. 2898 proposed by Mr. DOLE to the bill (H.R. 927) to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes; as follows:

AMENDMENT NO. 2899

At the appropriate place in the bill, insert the following:

TITLE —FREEDOM TO TRAVEL

SEC. .01. SHORT TITLE.

This title may be cited as the "Freedom to Travel Act of 1995".

SEC. .2. TRAVEL TO FOREIGN COUNTRIES.

(a) FREEDOM OF TRAVEL FOR UNITED STATES CITIZENS AND LEGAL RESIDENTS.—The President shall not restrict travel abroad by United States citizens or legal residents, except to countries with which the United States is at war, where armed hostilities are in progress, or where there is imminent danger to the public health or the physical safety of United States travelers.

(b) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)) is amended—

(1) by striking "or" at the end of paragraphs (2) and (3); and

(2) by amending paragraph (4) to read as follows:

"(4) any of the following transactions incident to travel by individuals who are citizens or residents of the United States:

"(A) any transactions ordinarily incident to travel to or from any country, including the importation into a country or the United

States of accompanied baggage for personal use only;

“(B) any transactions ordinarily incident to travel or maintenance within any country, including the payment of living expenses and the acquisition of goods or services for personal use;

“(C) any transactions ordinarily incident to the arrangement, promotion, or facilitation of travel to, from, or within a country;

“(D) any transactions incident to non-scheduled air, sea, or land voyages, except that this subparagraph does not authorize the carriage of articles into a country except accompanied baggage; and

“(E) normal banking transactions incident to the activities described in the preceding provisions of this paragraph, including the issuance, clearing, processing, or payment of checks, drafts, travelers checks, credit or debit card instruments, or similar instruments;

except that this paragraph does not authorize the importation into the United States of any goods for personal consumption acquired in another country other than those items described in paragraphs (1) and (3); or”.

(c) AMENDMENTS TO TRADING WITH THE ENEMY ACT.—Section 5(b) of the Trading With the Enemy Act (50 U.S.C. App. 5(b)) is amended by adding at the end the following new paragraph:

“(5) The authority granted by the President in this section does not include the authority to regulate or prohibit, directly or indirectly, any of the following transactions incident to travel by individuals who are citizens or residents of the United States:

“(A) Any transactions ordinarily incident to travel to or from any country, including importation into a country or the United States of accompanied baggage for personal use only.

“(B) Any transactions ordinarily incident to travel or maintenance within any country, including the payment of living expenses and the acquisition of goods or services for personal use.

“(C) Any transactions ordinarily incident to the arrangement, promotion, or facilitation of travel to, from, or within a country.

“(D) Any transactions incident to non-scheduled air, sea, or land voyages, except that this subparagraph does not authorize the carriage of articles into a country except accompanied baggage.

“(E) Normal banking transactions incident to the activities described in the preceding provisions of this paragraph, including the issuance, clearing, processing, or payment of checks, drafts, travelers checks, credit or debit card instruments, negotiable instruments, or similar instruments.

This paragraph does not authorize the importation into the United States of any goods for personal consumption acquired in another country other than those items described in paragraph (4).”.

SEC. 3. EDUCATIONAL, CULTURAL, AND SCIENTIFIC ACTIVITIES AND EXCHANGES.

(a) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)) is amended by adding after paragraph (4) the following new paragraph:

“(5) financial or other transactions, or travel, incident to—

“(A) activities of scholars;

“(B) other educational or academic activities;

“(C) exchanges in furtherance of any such activities;

“(D) cultural activities and exchanges; or

“(E) public exhibitions or performances by the nationals of one country in another country,

to the extent that any such activities, exchanges, exhibitions, or performances are not otherwise controlled for export under section 5 of the Export Administration Act of 1979 and to the extent that, with respect to such activities, exchanges, exhibitions, or performances, no acts are prohibited by chapter 37 of title 18, United States Code.”.

(b) TRADING WITH THE ENEMY ACT.—Section 5(b) of the Trading With the Enemy Act (50 U.S.C. App. 5(b)) is amended by adding at the end the following new paragraph:

“(6) The authority granted to the President in this subsection does not include the authority to regulate or prohibit, directly or indirectly, financial or other transactions, or travel, incident to—

“(A) activities of scholars;

“(B) other educational or academic activities;

“(C) exchanges in furtherance of any such activities;

“(D) cultural activities and exchanges; or

“(E) public exhibitions or performances by the nationals of one country in another country,

to the extent that any such activities, exchanges, exhibitions, or performances are not otherwise controlled for export under section 5 of the Export Administration Act of 1979 and to the extent that, with respect to such activities, exchanges, exhibitions, or performances, no acts are prohibited by chapter 37 of title 18, United States Code.”.

SEC. 4. FOREIGN ASSISTANCE ACT OF 1961.

Section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)) is amended by adding at the end thereof the following:

“(3) Notwithstanding paragraph (1), the authority granted to the President in such paragraph does not include the authority to regulate or prohibit, directly or indirectly, any activities or transactions which may not be regulated or prohibited under paragraph (5) or (6) of section 5(b) of the Trading With the Enemy Act.”.

SEC. 5. APPLICABILITY.

(a) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—The amendments made by sections 2(a) and 3(a) apply to actions taken by the President under section 203 of the International Emergency Economic Powers Act before the date of the enactment of this Act which are in effect on such date of enactment, and to actions taken under such section on or after such date.

(b) TRADING WITH THE ENEMY ACT.—The authorities conferred upon the President by section 5(b) of the Trading With the Enemy Act, which were being exercised with respect to a country on July 1, 1977, as a result of a national emergency declared by the President before such date, and are being exercised on the date of the enactment of this Act, do not include the authority to regulate or prohibit, directly or indirectly, any activity which under section 5(b)(5) or (6) of the Trading With the Enemy Act (as added by this title) may not be regulated or prohibited.

AMENDMENT No. 2900

Insert after section 103, the following new section:

SEC. 103A. EXCEPTION TO THE ECONOMIC EMBARGO OF CUBA.

(a) AMENDMENT TO EMBARGO AUTHORITY IN THE FOREIGN ASSISTANCE ACT OF 1961.—Section 620(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)(1)) is amended by inserting before the period at the end of the second sentence the following: “, except that any such embargo shall not apply with respect to the export of any food, medicines, or medical supplies, instruments, or equipment.”

(b) LIMITATION ON EXISTING RESTRICTIONS ON TRADE WITH CUBA.—Upon the enactment of

this Act, any regulation, proclamation, or provision of law, including Presidential Proclamation 3447 of February 3, 1962, the Export Administration Regulations (15 CFR 368-399), and the Cuban Assets Control Regulations (31 CFR 515), that prohibits exports to Cuba or transactions involving exports to Cuba and that is in effect on the date of the enactment of this Act, shall not apply with respect to the export to Cuba of food, medicines or medical supplies, instruments, or equipment.

(c) LIMITATION ON THE FUTURE EXERCISE OF AUTHORITY.—

(1) EXPORT ADMINISTRATION ACT OF 1979.—After the enactment of this Act, the President may not exercise the authorities contained in the Export Administration Act of 1979 to restrict the exportation to Cuba of food, medicines or medical supplies, instruments, or equipment, except to the extent such restrictions would be permitted under section 5 of that Act for goods containing parts or components subject to export controls under such section.

(2) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—After the enactment of this Act, the President may not exercise the authorities contained in section 203 of the International Emergency Economic Powers Act to restrict the export to Cuba of food, medicines or medical supplies, instruments, or equipment, to the extent such authorities are exercised to deal with a threat to the national security of the United States.

(d) CONFORMING AMENDMENTS.—Section 1705 of Cuban Democracy Act of 1992 (22 U.S.C. 6004) is amended—

(1) by amending subsection (c)(1) to read as follows:

“(1) except to the extent such restrictions—

“(A) would be permitted under section 5 of the Export Administration Act of 1979 for goods containing parts or components subject to export controls under such section; or

“(B) are imposed under section 203 of the International Emergency Economic Powers Act to deal with a threat to the national security of the United States;”;

(2) by striking subsection (d) and redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

BROWN AMENDMENT NO. 2901

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to amendment No. 2898 proposed by Mr. DOLE to the bill H.R. 927, supra, as follows:

In the appropriate place, insert a new section as follows:

SEC. . SENSE OF THE CONGRESS.

(a) FINDINGS.—The Congress finds that—

(1) The purpose of the General Agreement on Tariffs and Trade (hereafter in this amendment referred to as the “GATT”) and the World Trade Organization (hereafter in this amendment referred to as the “WTO”) is to enable member countries to conduct trade based upon free market principles, by limiting government intervention in the form of state subsidies, by limiting nontariff barriers, and by encouraging reciprocal reductions in tariffs among members;

(2) The GATT/WTO is based on the assumption that the import and export of goods are conducted by independent enterprises responding to profit incentives and market forces;

(3) The GATT/WTO requires that nonmarket economies implement significant reforms to change centralized and planned economic systems before becoming a full GATT/WTO member and the existence of a

decentralized and a free market economy is considered a precondition to fair trade among GATT/WTO members;

(4) The People's Republic of China (hereinafter referred to as "China") and the Republic of China on Taiwan (hereafter referred to as "Taiwan") applied for membership in the GATT in 1986 and 1991, respectively, and Working Parties have been established by the GATT to review their applications;

(5) China insists that Taiwan's membership in the GATT/WTO be granted only after China becomes a full member of the GATT/WTO;

(6) Taiwan has a free market economy that has existed for over three decades, and is currently the fourteenth largest trading nation in the world;

(7) Taiwan has a gross national product that is the world's twentieth largest, its foreign exchange reserves are among the largest in the world and it has become the world's seventh largest outbound investor;

(8) Taiwan has made substantive progress in agreeing to reduce upon GATT/WTO accession the tariff level of many products, and non-tariff barriers;

(9) Taiwan has also made significant progress in other aspects of international trade, such as in intellectual property protection and opening its financial services market;

(10) Despite some progress in reforming its economic system, China still retains legal and institutional practices that restrict free market competition and are incompatible with GATT/WTO principles;

(11) China still uses an intricate system of tariff and non-tariff administrative controls to implement its industrial and trade policies, and China's tariffs on foreign goods, such as automobiles, can be as high as 150 percent, even though China has made commitments in the market access Memorandum of Understanding to reform significant parts of its import regime;

(12) China continues to use direct and indirect subsidies to promote exports;

(13) China often manipulates its exchange rate to impede balance of payments adjustments and gain unfair competitive advantages in trade;

(14) Taiwan's and China's accession to the GATT/WTO have important implications for the United States and the world trading system.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the United States should separate Taiwan's application for membership in the GATT/WTO from China's application for membership in those organizations;

(2) the United States should support Taiwan's earliest membership in the GATT/WTO;

(3) the United States should support the membership of China in the GATT/WTO only if a sound bilateral commercial agreement is reached between the United States and China, and that China makes significant progress in making its economic system compatible with GATT/WTO principles.

(4) China's application for membership in the GATT/WTO should be reviewed strictly in accordance with the rules, guidelines, principles, precedents, and practices of the GATT.

**BUMPERS (AND OTHERS)
AMENDMENT NO. 2902**

(Ordered to lie on the table.)

Mr. BUMPERS (for himself, Mr. BROWN, and Mr. DORGAN) submitted an amendment intended to be proposed by them to amendment No. 2898 proposed by Mr. DOLE to the bill H.R. 927, supra, as follows:

At the end of the substitute, insert the following new title:

**TITLE V—NATIONAL ENDOWMENT
FOR DEMOCRACY**

(a) Notwithstanding any other provision of law, there are authorized to be appropriated to the Director of the USIA \$30 million for fiscal year 1996, \$24 million for the fiscal year 1997, \$18 million for the fiscal year 1998, \$12 million for the fiscal year 1999 and \$6 million for the fiscal year 2000 to carry out the National Endowment for Democracy Act (Title V of Public Law 98-164).

(b) Of the funds authorized to be appropriated for the fiscal year 1996, not more than 55%, excluding administrative costs, shall be available only for the following organizations, in equal allotments:

- (1) The International Republican Institute.
- (2) The National Democratic Institute.
- (3) The Free Trade Union Institute.
- (4) The Center for International Private Enterprise.

In fiscal years 1997, 1998, 1999 and 2000 all grants awarded by the National Endowment for Democracy to carry out programs in furtherance of the National Endowment for Democracy Act shall be made on a competitive basis.

(c) It is the sense of the Senate that the National Endowment for Democracy should fulfill its original mission by completing the transition from federal funding to private funding by the end of the fiscal year 2000.

DODD AMENDMENTS NOS. 2903-2912

(Ordered to lie on the table.)

Mr. DODD submitted 10 amendments intended to be proposed by him to amendment No. 2898 proposed by Mr. DOLE to the bill H.R. 927, supra; as follows:

AMENDMENT NO. 2903

On page 13 of the pending amendment beginning with line 34, strike all through line 40 on page 14.

AMENDMENT NO. 2904

On page 15 of the pending amendment beginning with line 2, strike all through line 14 on page 16.

AMENDMENT NO. 2905

On page 18 of the pending amendment beginning with line 2, strike all through line 8 on page 21.

AMENDMENT NO. 2906

On page 23 of the pending amendment beginning with line 18, strike all through line 21 on page 24.

AMENDMENT NO. 2907

On page 27 of the pending amendment beginning with line 37, strike all through line 41 on page 28.

AMENDMENT NO. 2908

On page 28 of the pending amendment beginning with line 42, strike all through line 32 on page 32.

AMENDMENT NO. 2909

On page 32 of the pending amendment beginning with line 33, strike all through line 29 on page 40.

AMENDMENT NO. 2910

Strike all after the first word of the pending amendment and insert in lieu thereof the following:

SEC. 1. SHORT TITLE; TABLE OF CONTENTS

(a) Short Title.—This Act may be cited as "Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1995".

(b) Table of Contents.—The table of contents of this Act is as follows:

- Sec. 1. Short Title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes.
- Sec. 4. Definitions.

TITLE I—STRENGTHENING INTERNATIONAL SANCTIONS AGAINST THE CASTRO GOVERNMENT

- Sec. 102. Authorization of support for democratic and human rights groups and international observers.
- Sec. 103. Enforcement of the economic embargo of Cuba.
- Sec. 104. Prohibition against indirect financing of Cuba.
- Sec. 105. United States opposition to Cuban membership in international financial institutions.
- Sec. 106. United States opposition to the termination of the suspension of the Government of Cuba from participation in the Organization of American States.
- Sec. 107. Assistance by the independent states of the former Soviet Union for the Government of Cuba.
- Sec. 108. Television broadcasting to Cuba.
- Sec. 109. Reports on commerce with, and assistance to, Cuba from other foreign countries.
- Sec. 110. Importation safeguard against certain Cuban products.
- Sec. 111. Reinstitution of family remittances and travel to Cuba.
- Sec. 112. News bureaus in Cuba.
- Sec. 113. Impact on lawful U.S. government activities.

TITLE II—SUPPORT FOR A FREE AND INDEPENDENT CUBA

- Sec. 201. Policy toward a transition government and a democratically elected government in Cuba.
- Sec. 202. Assistance for the Cuban people.
- Sec. 203. Implementation; reports to Congress.
- Sec. 204. Termination of the economic embargo of Cuba.
- Sec. 205. Requirements for a transition government.
- Sec. 206. Factors for determining a democratically elected government.
- Sec. 207. Settlement of outstanding U.S. claims to confiscated property in Cuba.

SEC. 2. FINDINGS.

The Congress makes the following findings:
(1) The economy of Cuba has experienced a decline of approximately 60 percent in the last 5 years as a result of—

- (A) the reduction in subsidies from the former Soviet Union;
- (B) 36 years of Communist tyranny and economic mismanagement by the Castro government;
- (C) the precipitous decline in trade between Cuba and the countries of the former Soviet bloc; and
- (D) the policy of the Russian Government and the countries of the former Soviet bloc to conduct economic relations with Cuba predominantly on commercial terms.

(2) At the same time, the welfare and health of the Cuban people have substantially deteriorated as a result of Cuba's economic decline and the refusal of the Castro regime of Cuba's economic decline and the refusal of the Castro regime to permit free and fair democratic elections in Cuba or to adopt any economic or political reforms that would lead to democracy, a market economy, or an economic recovery.

(3) The repression of the Cuban people, including a ban on free and fair democratic elections and the continuing violation of

fundamental human rights, as isolated the Cuban regime as the only nondemocratic government in the Western Hemisphere.

(4) As long as no such economic or political reforms are adopted by the Cuban government, the economic condition of the country and the welfare of the Cuban people will not improve in any significant way.

(5) Fidel Castro has defined democratic pluralism as "pluralistic garbage" and has made clear that he has no intention otherwise tolerating the democratization of Cuban society.

(6) The Castro government, in an attempt to retain absolute political power, continues to utilize, as it has from its inception, torture in various forms (including psychiatric abuse), execution, exile, confiscation, political imprisonment, and other forms of terror and repression as most recently demonstrated by the massacre of more than 40 Cuban men, women, and children attempting to flee Cuba.

(7) The Castro government holds hostage in Cuba innocent Cubans whose relatives have escaped the country.

(8) Over the past 36 years, the Cuban government has posed a national security threat to the United States.

(9) The completion and any operation of a nuclear-powered facility in Cuba, for energy generation or other wise, poses an unacceptable threat to the national security of the United States.

(10) The unleashing on United States shores of thousands of Cuban refugees fleeing Cuban oppression will be considered an act of aggression.

(11) The Government of Cuba engages in illegal international narcotics trade and harbors fugitives from justice in the United States.

(12) The totalitarian nature of the Castro regime has deprived the Cuban people of any peaceful means to improve their condition and has led thousands of Cuban citizens to risk or lose their lives in dangerous attempts to escape from Cuba to freedom.

(13) Attempts to escape from Cuba and courageous acts of defiance of the Castro regime by Cuban pro-democracy and human rights groups have ensured the international community's continued awareness of, and concern for, the plight of Cuba.

(14) The Cuban people deserve to be assisted in a decisive manner in order to end the tyranny that has oppressed them for 36 years.

(15) Radio Marti and Television Marti have been effective vehicles for providing the people of Cuba with news and information and have helped to bolster the morale of the Cubans living under tyranny.

(16) The consistent policy of the United States towards Cuba since the beginning of the Castro regime, carried out by both Democratic and Republican administrations, has sought to keep faith with the people of Cuba, and has been effective in isolating the totalitarian Castro regime.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to assist the Cuban people in regaining their freedom and prosperity, as well as in joining the community of democratic countries that are flourishing in the Western Hemisphere;

(2) to strengthen international sanctions against the Castro government;

(3) to provide for the continued national security of the United States in the face of continuing threats from the Castro government of terrorism, theft of property from United States nationals, and the political manipulation of the desire of Cubans to escape that results in mass migration to the United States;

(4) to encourage the holding of free and fair democratic elections in Cuba, conducted under the supervision of internationally recognized observers;

(5) to provide a policy framework for United States support to the Cuban people in response to the formation of a transition government or a democratically elected government in Cuba; and

(6) to protect American nationals against confiscatory takings and the wrongful trafficking in property confiscated by the Castro regime.

SEC. 4. DEFINITIONS.

As used in this Act, the following terms have the following meanings:

(1) AGENCY OR INSTRUMENTALITY OF A FOREIGN STATE.—The term "agency or instrumentality of a foreign state" has the meaning given that term in section 1603(b) of title 28, United States Code, except as otherwise provided for in this Act under paragraph 4(5).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(3) COMMERCIAL ACTIVITY.—The term "commercial activity" has the meaning given that term in section 1603(d) of title 28, United States Code.

(4) CUBAN GOVERNMENT.—(A) The terms "Cuban government" and "Government of Cuba" include the government of any political subdivision of Cuba, and any agency or instrumentality of the Government of Cuba.

(B) For purposes of subparagraph (A), the term "agency or instrumentality" is used within the meaning of section 1603(b) of title 28, United States Code.

(5) DEMOCRATICALLY ELECTED GOVERNMENT IN CUBA.—The term "democratically elected government in Cuba" means a government that the President has determined as being democratically elected.

(6) ECONOMIC EMBARGO OF CUBA.—The term "economic embargo of Cuba" refers to the economic embargo imposed against Cuba pursuant to section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)), section 5(b) of the Trading With the Enemy Act (50 U.S.C. App. 5(b)), the International Emergency Economic Powers Act (50 U.S.C. 1701 and following), the Export Administration Act of 1979 (50 U.S.C. App. 2401 and following), as modified by the Cuban Democracy Act of 1992 (22 U.S.C. 6001 and following).

(7) TRANSITION GOVERNMENT IN CUBA.—The term "transition government in Cuba" means a government that the President determines as being a transition government.

TITLE I—STRENGTHENING INTERNATIONAL SANCTIONS AGAINST THE CASTRO GOVERNMENT

SEC. 102. AUTHORIZATION OF SUPPORT FOR DEMOCRATIC AND HUMAN RIGHTS GROUPS AND INTERNATIONAL OBSERVERS.

(a) AUTHORIZATION.—The President is authorized to furnish assistance to and make available other support for individuals and nongovernmental organizations to support democracy-building efforts in Cuba, including the following:

(1) Published and informational matter, such as books, videos, and cassettes, on transitions to democracy, human rights, and market economies to be made available to independent democratic groups in Cuba.

(2) Humanitarian assistance to victims of political repression and their families.

(3) Support for democratic and human rights groups in Cuba.

(4) Support for visits and permanent deployment of independent international human rights monitors in Cuba.

(b) DENIAL OF FUNDS TO THE GOVERNMENT OF CUBA.—In implementing this section, the President shall take all necessary steps to ensure that no funds or other assistance are provided to the Government of Cuba or any of its agencies, entities, or instrumentalities.

(c) SUPERSEDING OTHER LAWS.—Assistance may be provided under this section notwithstanding any other provision of law, except for section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394) and comparable notification requirements contained in sections of the annual foreign operations, export financing, and related programs appropriations Act.

SEC. 103. ENFORCEMENT OF THE ECONOMIC EMBARGO OF CUBA.

(a) POLICY.—(1) The Congress hereby reaffirms section 1704(a) of the Cuban Democracy Act of 1992, which states the President should encourage foreign countries to restrict trade and credit relations with Cuba in a manner consistent with the purposes of that Act.

(2) The Congress further urges the President to take immediate steps to apply the sanctions described in section 1704(b)(1) of such Act against countries assisting Cuba.

(b) DIPLOMATIC EFFORTS.—The Secretary of State should ensure that United States diplomatic personnel abroad understand and, in their contacts with foreign officials are communicating the reasons for the United States economic embargo of Cuba, and are urging foreign governments to cooperate more effectively with the embargo.

(c) EXISTING REGULATIONS.—The President shall instruct the Secretary of the Treasury and the Attorney General to enforce fully the Cuban Assets Control Regulations in part 515 of title 31, Code of Federal Regulations.

(d) TRADING WITH THE ENEMY ACT.—(1) Subsection (b) of section 16 of the Trading With the Enemy Act (50 U.S.C. App. 16(b)), as added by Public Law 102-484, is amended to read as follows:

"(b)(1) A civil penalty of not to exceed \$50,000 may be imposed by the Secretary of the Treasury on any person who violates any license, order, rule, or regulation issued in compliance with the provisions of this Act.

"(2) Any property, funds, securities, papers, or other articles or documents, or any vessel, together with its tackle, apparel, furniture, and equipment, that is the subject of a violation under paragraph (1) shall, at the direction of the Secretary of the Treasury, be forfeited to the United States Government.

"(3) The penalties provided under this subsection may be imposed only on the record after opportunity for an agency hearing in accordance with sections 554 through 557 of title 5, United States Code, with the right to prehearing discovery.

"(4) Judicial review of any penalty imposed under this subsection may be had to the extent provided in section 702 of title 5, United States Code".

SEC. 105. UNITED STATES OPPOSITION TO CUBAN MEMBERSHIP IN INTERNATIONAL FINANCIAL INSTITUTIONS.

(a) CONTINUED OPPOSITION TO CUBAN MEMBERSHIP IN INTERNATIONAL FINANCIAL INSTITUTIONS.—

(1) Except as provided in paragraph (2), the Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose the admission of Cuba as a member of such institution until the President submits a determination pursuant to section 203(c).

(2) Once the President submits a determination under section 203(a) that a transition government in Cuba is in power—

(A) the President is encouraged to take steps to support the processing of Cuba's application for membership in any international financial institution, subject to the membership taking effect after a democratically elected government in Cuba is in power, and

(B) the Secretary of the Treasury is authorized to instruct the United States executive director of each international financial institution to support loans or other assistance to Cuba only to the extent that such loans or assistance contribute to a stable foundation for a democratically elected government in Cuba.

(c) DEFINITION.—For purposes of this section, the term "international financial institution" means that International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the Inter-American Development Bank.

SEC. 106. UNITED STATES OPPOSITION TO TERMINATION OF THE SUSPENSION OF THE GOVERNMENT OF CUBA FROM PARTICIPATION IN THE ORGANIZATION OF AMERICAN STATES.

The President should instruct the United States Permanent Representative to the Organization of American States to oppose and vote against any termination of the suspension of the Cuban government from participation in the Organization until the President determines that a democratically elected government in Cuba is in power.

(d) FACILITIES AT LOURDES, CUBA.—(1) The Congress expresses its strong disapproval of the extension by Russia of credits equivalent to \$200,000,000 in support of the intelligence facility at Lourdes, Cuba, announced in November 1944.

SEC. 108. TELEVISION BROADCASTING TO CUBA.

(a) CONVERSION TO UHF.—The Director of the United States Information Agency shall implement a conversion of television broadcasting to Cuba under the Television Marti Service to ultra high frequency (UHF) broadcasting.

(b) PERIODIC REPORTS.—Not later than 45 days after the date of enactment of this Act, and every three months thereafter until the conversion described in subsection (a) is fully implemented, the Director shall submit a report to the appropriate congressional committees on the progress made in carrying out subsection (a).

(c) TERMINATION OF BROADCASTING AUTHORITIES.—Upon transmittal of a determination under section 203(c), the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.) and the Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.) are repealed.

SEC. 109. REPORTS ON COMMERCE WITH, AND ASSISTANCE TO, CUBA FROM OTHER FOREIGN COUNTRIES.

(a) REPORTS REQUIRED.—Not later than 90 days after the date of enactment of this Act, and by January 1, each year thereafter, the President shall submit a report to the appropriate congressional committees on commerce with, and assistance to, Cuba from other foreign countries during the preceding 12-month period.

(b) CONTENTS OF REPORTS.—Each report required by subsection (a) shall, for the period covered by the report, contain the following, to the extent such information is available—

(1) a description of all bilateral assistance provided to Cuba by other foreign countries, including humanitarian assistance;

(2) a description of Cuba's commerce with foreign countries, including an identification of Cuba's trading partners and the extent of such trade;

(3) a description of the joint ventures completed, or under consideration, by foreign na-

tionals and business firms involving facilities in Cuba, including an identification of the location of the facilities involved and a description of the terms of agreement of the joint ventures and the names of the parties that are involved;

(4) a determination as to whether or not any of the facilities described in paragraph (3) is the subject of a claim against Cuba by a United States national;

(5) a determination of the amount of Cuban debt owed to each foreign country, including—

(A) the amount of debt exchanged, forgiven, or reduced under the terms of each investment or operation in Cuba involving foreign nationals or businesses; and

(B) the amount of debt owed the foreign country that has been exchanged, reduced, or forgiven in return for a grant by the Cuban government of an equity interest in a property, investment, or operation of the Government of Cuba or of a Cuban national;

(6) a description of the steps taken to assure that raw materials and semifinished or finished goods produced by facilities in Cuba involving foreign nationals or businesses do not enter the United States market, either directly or through third countries or parties; and

(7) an identification of countries that purchase, or have purchased, arms or military supplies from Cuba or that otherwise have entered into agreements with Cuba that have a military application, including—

(A) a description of the military supplies, equipment, or other material sold, bartered, or exchanged between Cuba and such countries,

(B) a listing of the goods, services, credits, or other consideration received by Cuba in exchange for military supplies, equipment, or material, and

(C) the terms or conditions of any such agreement.

SEC. 112. NEWS BUREAUS IN CUBA.

(a) ESTABLISHMENT OF NEWS BUREAU.—It is the sense of Congress that the President should establish and implement an exchange of news bureaus between the United States and Cuba, if—

(1) the exchange is fully-reciprocal;

(2) the Cuban Government allows free, unrestricted, and uninhibited movement in Cuba of journalists of any United States-based news organizations;

(3) the Cuban Government agrees not to interfere with the news-gathering activities of individuals assigned to work as journalists in the news bureaus in Cuba of United States-based news organizations;

(4) the United States Government is able to ensure that only accredited journalists regularly employed with a news gathering organization avail themselves of the general license to travel to Cuba; and

(5) the Cuban Government agrees not to interfere with the transmission of telecommunications signals of news bureaus or with the distribution within Cuba of any United States-based news organization that has a news bureau in Cuba.

(b) ASSURANCE AGAINST ESPIONAGE.—In implementing this section, the President shall take all necessary steps to assure the safety and security of the United States against espionage by Cuban journalists it believes to be working for the intelligence agencies of the Cuban Government.

SEC. 113. IMPACT ON LAWFUL U.S. GOVERNMENT ACTIVITIES.

Nothing in this Act shall prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency or of an intelligence agency of the United States.

TITLE II—SUPPORT FOR A FREE AND INDEPENDENT CUBA

SEC. 201. POLICY TOWARD A TRANSITION GOVERNMENT AND A DEMOCRATICALLY ELECTED GOVERNMENT IN CUBA.

It is the policy of the United States—

(1) to support the self-determination of the Cuban people;

(2) to facilitate a peaceful transition to representative democracy and a free market economy in Cuba;

(3) to be impartial toward any individual or entity in the selection by the Cuban people of their future government;

(4) to enter into negotiations with a democratically elected government in Cuba regarding the status of the United States Naval Base at Guantanamo Bay;

(5) to consider the restoration of diplomatic relations with Cuba and support the reintegration of the Cuban government into of the Inter-American System after a transition government in Cuba comes to power and at such a time as will facilitate the rapid transition to a democratic government;

(6) to remove the economic embargo of Cuba when the President determines that there exists a democratically elected government in Cuba; and

(7) to pursue a mutually beneficial trading relationship with a democratic Cuba.

SEC. 202. ASSISTANCE FOR THE CUBAN PEOPLE.

(a) AUTHORIZATION.—

(1) IN GENERAL.—The President may provide assistance under this section for the Cuban people after a transition government, or a democratically elected government, is in power in Cuba.

(2) EFFECT ON OTHER LAWS.—Subject to section 203, the President is authorized to provide such forms of assistance to Cuba as are provided for in subsection (b), notwithstanding any other provision of law, except for—

(A) this Act;

(B) section 620(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)(2)); and

(C) section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394) and comparable notification requirements contained in sections of the annual foreign operations, export financing, and related programs appropriations Act.

(b) RESPONSE PLAN.—

(1) DEVELOPMENT OF PLAN.—The President shall develop a plan detailing, to the extent possible, the manner in which the United States would provide and implement support for the Cuban people in response to the formation of—

(A) a transition government in Cuba; and

(B) a democratically elected government in Cuba.

(c) INTERNATIONAL EFFORTS.—The President is encouraged to take the necessary steps—

(1) to seek to obtain the agreement of other countries and multinational organizations to provide assistance to a transition government in Cuba and to a democratically elected government in Cuba; and

(2) to work with such countries, institutions, and organizations to coordinate all such assistance programs.

(d) REPORT ON TRADE AND INVESTMENT RELATIONS.—

(1) REPORT TO CONGRESS.—The President, following the transmittal to the Congress of a determination under section 203(c) that a democratically elected government in Cuba is in power, shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate and other appropriate congressional committees a report that describes—

(A) acts, policies, and practices which constitute significant barriers to, or distortions of, United States trade in goods or services

or foreign direct investment with respect to Cuba;

(B) policy objectives of the United States regarding trade relations with a democratically elected government in Cuba, and the reasons therefor, including possible—

(i) reciprocal extension of nondiscriminatory trade treatment (most-favored-nation treatment);

(ii) designation of Cuba as a beneficiary developing country under title V of the Trade Act of 1974 (relating to the Generalized System of Preferences) or as a beneficiary country under the Caribbean Basin Economic Recovery Act, and the implications of such designation with respect to trade and any other country that is such a beneficiary developing country or beneficiary country or is a party to the North American Free Trade Agreement; and

(iii) negotiations regarding free trade, including the accession of Cuba to the North American Free Trade Agreement;

(C) specific trade negotiating objectives of the United States with respect to Cuba, including the objectives described in section 108(b)(5) of the North American Free Trade Agreement Implementation Act; and

(D) actions proposed or anticipated to be undertaken, and any proposed legislation necessary or appropriate, to achieve any of such policy and negotiating objectives.

(2) CONSULTATION.—The President shall consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate and other appropriate congressional committees and shall seek advice from the appropriate advisory committees established under section 135 of the Trade Act of 1974 regarding the policy and negotiating objectives and the legislative proposals described in paragraph (1).

(e) COMMUNICATION WITH THE CUBAN PEOPLE.—The President is encouraged to take the necessary steps to communicate to the Cuban people the plan developed under this section.

(f) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report describing in detail the plan developed under this section.

SEC. 203. IMPLEMENTATION; REPORTS TO CONGRESS.

(a) IMPLEMENTATION WITH RESPECT TO TRANSITION GOVERNMENT.—Upon making a determination that a transition government in Cuba is in power, the President shall transmit that determination to the appropriate congressional committees and should, subject to the authorization of appropriations and the availability of appropriations.

(b) REPORTS TO CONGRESS.—(1) The President shall transmit to the appropriate congressional committees a report setting forth the strategy for providing assistance authorized under section 202 to the transition government in Cuba, the types of such assistance, and the extent to which such assistance has been distributed.

(2) The President shall transmit the report not later than 90 days after making the determination referred to in paragraph (1), except that the President shall consult regularly with the appropriate congressional committees regarding the development of the plan.

(c) IMPLEMENTATION WITH RESPECT TO DEMOCRATICALLY ELECTED GOVERNMENT.—Upon making a determination, that a democratically elected government in Cuba is in power, the President shall transmit that determination to the appropriate congressional committees and should, subject to the authorization of appropriations and the availability of appropriations, commence to provide such forms of assistance.

(d) ANNUAL REPORTS TO CONGRESS.—Once the President has transmitted a determination referred to in either subsection (a) or (c), the President shall, not later than 60 days after the end of each fiscal year, transmit to the appropriate congressional committees a report on the assistance to Cuba authorized under section 202, including a description of each type of assistance, the amounts expended for such assistance, and a description of the assistance to be provided under the plan in the current fiscal year.

SEC. 204. TERMINATION OF THE ECONOMIC EMBARGO OF CUBA.

(a) PRESIDENTIAL ACTIONS.—Upon submitting a determination to the appropriate congressional committees under section 203(a) that a transition government in Cuba is in power, the President, after consulting with the Congress, is authorized to take steps to suspend the economic embargo on Cuba.

(b) SUSPENSION OF CERTAIN PROVISIONS OF LAW.—In carrying out subsection (a), the President may suspend the enforcement of—

(1) section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a));

(2) section 620(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(f)) with regard to the "republic of Cuba";

(3) sections 1704, 1705(d), and 1706 of the Cuban Democracy Act (22 U.S.C. 6003, 6004(d), 6005);

(4) section 902(c) of the Food Security Act of 1985; and

(5) the prohibitions on transactions described in part 515 of the title 31, Code of Federal Regulations.

(c) ADDITIONAL PRESIDENTIAL ACTIONS.—Upon submitting a determination to the appropriate congressional committees that a democratically elected government in Cuba is in power, the President shall take steps to terminate the economic embargo of Cuba.

(d) CONFORMING AMENDMENTS.—On the date on which the President submits a determination under section 203(c)—

(1) section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)) is repealed;

(2) section 620(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(f)) is amended by striking "Republic of Cuba";

(3) sections 1704, 1705(d), and 1706 of the Cuban Democracy Act (22 U.S.C. 6003, 6004(d), 6005) are repealed; and

(4) section 902(c) of the Food Security Act of 1985 is repealed.

SEC. 301. It is that sense of Congress that—

(1) The wrongful confiscation or taking of property belonging to United States nationals by the Cuban government, and the subsequent exploitation of this property at the expense of the rightful owner, undermines the comity of nations, the free flow of commerce, and economic development.

(2) It is in the interest of the Cuban people that the government of Cuba respect equally the property rights of Cuban and foreign nationals.

(3) The Cuban government is offering foreign investors the opportunity to purchase an equity interest in, manage, or enter into joint ventures with property and assets some of which were confiscated from United States nationals.

(4) The U.S. State Department has notified other governments that the transfer of properties confiscated by the Cuban government to third parties "would complicate any attempt to return them to their original owners".

AMENDMENT NO. 2911

On page 27 of the pending amendment on line 3 strike all after the word "Cuba" up to the period on line 7.

AMENDMENT NO. 2912

On page 21 of the pending amendment beginning with line 10 strike all through line 34 and insert in lieu thereof the following.

(a) ESTABLISHMENT OF NEWS BUREAUS.—The President should establish and implement an exchange of news bureaus between the United States and Cuba, if—

(1) the exchange is fully-reciprocal;

(2) the Cuban Government allows free, unrestricted, and uninhibited movement in Cuba of journalists of any United States-based news organizations;

(3) the Cuban Government agrees not to interfere with the news-gathering activities of individuals assigned to work as journalists in the news bureaus in Cuba of United States-based news organizations;

(4) the United States Government is able to ensure that only accredited journalists regularly employed with a news gathering organization avail themselves of the general license to travel to Cuba; and

(5) the Cuban Government agrees not to interfere with the transmission of telecommunications signals of news bureaus or with the distribution within Cuba of any United States-based news organization that has a news bureau in Cuba.

(b) ASSURANCE AGAINST ESPIONAGE.—the President should take all necessary steps to assure the safety and security of the United States against espionage by Cuban journalists it believes to be working for the intelligence agencies of the Cuban Government.

MACK (AND OTHERS) AMENDMENT NO. 2913

(Ordered to lie on the table.)

Mr. MACK (for himself, Mr. GRAMM, Mr. LIEBERMAN, Mr. HELMS, Mr. DOLE, Mr. D'AMATO, and Mr. SPECTER) submitted an amendment intended to be proposed by them to amendment No. 2898 proposed by Mr. DOLE to the bill H.R. 927, supra; as follows:

At the appropriate place in the substitute amendment, insert the following new section:

SEC. . CONGRESSIONAL NOTIFICATION OF CONTACTS WITH CUBAN GOVERNMENT OFFICIALS.

(a) ADVANCED NOTIFICATION REQUIRED.—No funds made available under any provision of law may be used for the costs and expenses of negotiations, meetings, discussions, or contacts between United States Government officials or representatives and officials or representatives of the Cuban government relating to normalization of relations between the United States and Cuba unless 15 days in advance the President has notified the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate in accordance with procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

(b) REPORTS.—Within 15 days of any negotiations, meetings, discussions, or contacts between individuals described in subsection (a), with respect to any matter, the President shall submit a report to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate detailing the individuals involved, the matters discussed, and any agreements made, including agreements to conduct future negotiations, meetings, discussions, or contacts.

BRADLEY AMENDMENT NO. 2914

(Ordered to lie on the table.)

Mr. BRADLEY submitted an amendment intended to be proposed by him

to amendment No. 2898 proposed by Mr. DOLE to the bill H.R. 927, supra; as follows:

At the appropriate place in title I of the amendment, insert the following new section:

SEC. . EXCEPTION TO RESTRICTION ON ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.

Chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.) is amended by adding at the end the following new section:

"SEC. 498D. EXCEPTION TO RESTRICTION ON ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.

"Notwithstanding any other provision of this chapter, assistance under the secondary school exchange program administered by the United States Information Agency is authorized to be provided to the independent states of the former Soviet Union."

ASHCROFT AMENDMENT NO. 2915

Mr. ASHCROFT proposed an amendment to amendment No. 2898 proposed by Mr. DOLE to the bill H.R. 927, supra; as follows:

At the appropriate place, add the following:

SEC. . SENSE OF THE SENATE REGARDING CONSIDERATION OF A CONSTITUTIONAL AMENDMENT TO LIMIT CONGRESSIONAL TERMS.

It is the sense of the Senate that the United States Senate should pass, prior to the end of 1995, a constitutional amendment limiting the number of terms Members of Congress can serve.

ASHCROFT AMENDMENT NO. 2916

Mr. ASHCROFT proposed an amendment to amendment No. 2915 proposed by him to amendment No. 2898 proposed by Mr. DOLE to the bill H.R. 927, supra; as follows:

Strike all after the word "SEC. ." and insert the following:

SENSE OF THE SENATE REGARDING CONSIDERATION OF A CONSTITUTIONAL AMENDMENT TO LIMIT CONGRESSIONAL TERMS.

It is the sense of the Senate that the United States Senate should pass, prior to the end of the First Session of the 104th Congress, a constitutional amendment limiting the number of terms Members of Congress can serve.

GRAMM AMENDMENT NO. 2917

(Ordered to lie on the table.)

Mr. GRAMM submitted an amendment intended to be proposed by him to the amendment No. 2913 proposed by Mr. MACK to amendment No. 2898 proposed by Mr. DOLE to the bill (H.R. 927) supra; as follows:

On page 2 of amendment number 2913, strike the 10 and insert in lieu thereof, "of 1961, and, in any event, no funds made available under any provision of law may be used for the costs and expenses of negotiations with officials or representatives of the Cuban government by an official or representative of the United States Government assigned to the United States Interests Section in Cuba."

BROWN AMENDMENT NO. 2918

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to amendment No. 2898 proposed by Mr. DOLE to the bill (H.R. 927) supra; as follows:

In lieu of the pending amendment, insert the following:

SEC. . SENSE OF THE CONGRESS.

(a) FINDINGS.—The Congress finds that—

(1) The purpose of the General Agreement on Tariffs and Trade (hereafter in this amendment referred to as the "GATT") and the World Trade Organization (hereafter in this amendment referred to as the "WTO") is to enable member countries to conduct trade based upon free market principles, by limiting government intervention in the form of state subsidies, by limiting nontariff barriers, and by encouraging reciprocal reductions in tariffs among members;

(2) The GATT/WTO is based on the assumption that the import and export of goods are conducted by independent enterprises responding to profit incentives and market forces;

(3) The GATT/WTO requires that nonmarket economies implement significant reforms to change centralized and planned economic systems before becoming a full GATT/WTO member and the existence of a decentralized and a free market economy is considered a precondition to fair trade among GATT/WTO members;

(4) The People's Republic of China (hereinafter referred to as "China") and the Republic of China on Taiwan (hereinafter referred to as "Taiwan") applied for membership in the GATT in 1986 and 1991, respectively, and Working Parties have been established by the GATT to review their applications;

(5) China insists that Taiwan's membership in the GATT/WTO be granted only after China becomes a full member of the GATT/WTO;

(6) Taiwan has a free market economy that has existed for over three decades, and is currently the fourteenth largest trading nation in the world;

(7) Taiwan has a gross national product that is the world's twentieth largest, its foreign exchange reserves are among the largest in the world and it has become that world's seventh largest outbound investor;

(8) Taiwan has made substantive progress in agreeing to reduce upon GATT/WTO accession the tariff level of many products, and non-tariff barriers;

(9) Taiwan has also made significant progress in other aspects of international trade, such as in intellectual property protection and opening its financial services market;

(10) Despite some progress in reforming its economic system, China still retains legal and institutional practices that restrict free market competition and are incompatible with GATT/WTO principles;

(11) China still uses an intricate system of tariff and non-tariff administrative controls to implement its industrial and trade policies, and China's tariffs on foreign goods, such as automobiles, can be as high as 150 percent, even though China has made commitments in the market access Memorandum of Understanding to reform significant parts of its import regime;

(12) China continues to use direct and indirect subsidies to promote exports;

(13) China often manipulates its exchange rate to impede balance of payments adjustments and gain unfair competitive advantages in trade;

(14) Taiwan's and China's accession to the GATT/WTO have important implications for the United States and the world trading system.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the United States should separate Taiwan's application for membership in the GATT/WTO from China's application for membership in those organizations;

(2) the United States should support Taiwan's earliest membership in the GATT/WTO;

(3) the United States should support the membership of China in the GATT/WTO only if a sound bilateral commercial agreement is reached between the United States and China, and that China makes significant progress in making its economic system compatible with GATT/WTO principles;

(4) China's application for membership in the GATT/WTO should be reviewed strictly in accordance with the rules, guidelines, principles, precedents, and practices of the GATT; and

(5) Both Taiwan's and China's accession to the GATT/WTO have important implications for the United States and for the world trading system.

HELMS AMENDMENT NO. 2919

(Ordered to lie on the table.)

Mr. HELMS submitted an amendment intended to be proposed by him to the amendment No. 2900 proposed by Mr. SIMON to the amendment No. 2898 proposed by Mr. DOLE to the bill (H.R. 927) supra; as follows:

Strike all after the word "SEC." and insert the following:

103A. EXCEPTION TO THE ECONOMIC EMBARGO OF CUBA.

(a) AMENDMENT TO EMBARGO AUTHORITY IN THE FOREIGN ASSISTANCE ACT OF 1961.—Section 620(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)(1)) is amended by inserting before the period at the end of the second sentence the following: ", except that any such embargo shall not apply with respect to the export of any food, medicines, or medical supplies, instruments, or equipment, if such export would be provided directly to, and would directly benefit, the Cuban people."

(b) LIMITATION ON EXISTING RESTRICTIONS ON TRADE WITH CUBA.—Upon the enactment of this Act, any regulation, proclamation, or provision of law, including Presidential Proclamation 3447 of February 3, 1962, the Export Administration Regulations (15 CFR 368-399), and the Cuban Assets Control Regulations (31 CFR 515), that prohibits exports to Cuba or transactions involving exports to Cuba and that is in effect on the date of the enactment of this Act, shall not apply with respect to the export to Cuba to food, medicines or medical supplies, instruments, or equipment, if such effort would be provided directly to, and would directly benefit, the Cuban people.

(c) LIMITATION ON THE FUTURE EXERCISE OF AUTHORITY.—

(1) EXPORT ADMINISTRATION ACT OF 1979.—After the enactment of this Act, the President may not exercise the authorities contained in the Export Administration Act of 1979 to restrict the exportation to Cuba of food, medicines or medical supplies, instruments, or equipment, except to the extent such restrictions would be permitted under section 5 of that Act for goods containing parts or components subject to export controls under such section.

(2) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—After the enactment of this Act, the President may not exercise the authorities contained in section 203 of the International Emergency Economic Powers Act to restrict the export to Cuba of food, medicines or medical supplies, instruments, or equipment, to the extent such authorities are exercised to deal with a threat to the national security of the United States.

(2), the exportation of food, medicines, or medical supplies, instruments, or equipment may only be made under such paragraph if the export would be provided directly to, and would directly benefit, the Cuban people.

(d) CONFORMING AMENDMENTS.—Section 1705 of the Cuban Democracy Act of 1992 (22 U.S.C. 6004) is amended—

(1) by amending subsection (c)(1) to read as follows:

“(1) except to the extent such restrictions—

“(A) would be permitted under section 5 of the Export Administration Act of 1979 for goods containing parts or components subject to export controls under such section; or

“(B) are imposed under section 203 of the International Emergency Economic Powers Act to deal with a threat to the national security of the United States;”;

(2) by striking subsection (d) and redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

NOTICE OF HEARING

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the October 13, 1995 oversight hearing which had been scheduled before the Subcommittee on Oversight and Investigations, Energy and Natural Resources Committee to examine the role of the Council on Environmental Quality in the decisionmaking and management processes of agencies under the Committee's jurisdiction—Department of the Interior, Department of Energy, and the U.S. Forest Service—has been postponed.

The hearing now will take place Thursday, October 19, 1995 at 9:30 a.m. in Room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Those wishing to testify or who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Kelly Johnson or Jo Meuse at (202) 224-6730.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DOLE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Thursday, October 12, 1995, session of the Senate for the purpose of conducting a hearing on S. 1239, the Air Traffic Management System Performance Improvement Act of 1995.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DOLE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, October 12, 1995, at 10:00 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. DOLE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, October 12, 1995.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. DOLE. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for an Executive Session, during the session of the Senate on Thursday, October 12, 1995, at 9:30 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DOLE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, October 12, 1995 at 3:00 p.m. to hold a closed conference with the House Permanent Select Committee on Intelligence on the fiscal year 1996 Intelligence authorization bill (H.R. 1655).

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

SPECIAL COMMITTEE ON AGING

Mr. DOLE. Mr. President, I wish to announce that the Special Committee on Aging will hold a hearing on Thursday, October 12, 1995, at 9:30 a.m., in room 628 of the Dirksen Senate Office Building. The hearing will discuss health care fraud.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. DOLE. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs on the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, October 12, 1995, at 2 p.m.

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

SUBCOMMITTEE ON INTERNATIONAL FINANCE

Mr. DOLE. Mr. President, I ask unanimous consent that the Subcommittee on International Finance of the Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, October 12, 1995 to conduct a hearing on the semi-annual report from the Trade Promotion Coordinating Committee.

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

ADDITIONAL STATEMENTS

PUBLIC UTILITY HOLDING COMPANY ACT OF 1995

• Mr. SHELBY. Mr. President, I am very pleased to see that a bill has been introduced to repeal the Public Utility Holding Company Act of 1935 [PUHCA]. PUHCA has long since outlived its usefulness. It has become duplicative with

other regulation, both at the Federal and State levels. The utility industry, both gas and electric, has changed dramatically since PUHCA was first enacted, and particularly the new competitive pressures and State regulation that now exists, makes PUHCA unnecessary. I thank Chairman D'AMATO and my colleagues on the Banking Committee, and the Securities and Exchanges Commission [SEC], which has recommended repeal, for their diligence in bringing this legislation before us.

While the utility industry is changing, there are some who argue that any action on the repeal of PUHCA must be tied to broader changes in the structure of the electric utility industry. I do not accept or support that position, but rather believe that PUHCA can and should be repealed while the debate on the other broader issues matures. The SEC first recommended repeal of PUHCA in 1982, and have more recently, in June, called again for the antiquated law's repeal. We should act accordingly.●

IN PRAISE OF THE HAVERSTRAW ALL-STARS

• Mr. MOYNIHAN. Mr. President, I rise today to wish great congratulations to the Haverstraw Little League Senior League All-Stars.

This outstanding group of 14- and 15-year-olds from Rockland County played some of the best baseball of their young lives this summer. They were winners of the New York State and Eastern Regional Championships, and represented New York in the Little League Senior League World Series in Kissimmee, FL. Indeed, these young men have much to be proud of, as do their families, coaches, and community.

Most fittingly, on October 22, 1995, the team will be honored at a dinner held by the Knights of Columbus in Haverstraw, NY. In recognition of the team's successful season, I ask that the names of the players and coaches of the Haverstraw Little League Senior League All-Stars be printed in the RECORD.

The names follow:

Players: Craig Barton, Andrew Breuninger, Richard Chase, David Delarosa, John Grosso, Junior Lopez, Jorge Maldonado, Mike Persico, Jose Vasquez, Rapheal Cespedes, Chris Granata, R.J. Mackenzie, Joe Sansonetti, and Walter Vega. Manager: Gene Barnum. Coach: Howard Johnson. Coach: Bob Michelitch.●

TRIBUTE TO ROGER CROZIER

• Mr. ROTH. Mr. President, on September 29, 1995, at the Dupont Country Club in Wilmington, DE, the 5th annual Roger Crozier Invitational Golf for Adoption was held. This event benefits the Gladney Center, which places children for adoption throughout the United States, and the National Council for Adoption. It was created by an accomplished athlete, a successful