

BOSNIA SPRING

• Mr. MOYNIHAN. Mr. President, spring has arrived here in Washington, the Grounds of the Capitol are looking their best and we welcome the change. Unfortunately, spring in Bosnia is not a welcome event. Spring in Bosnia means the cease-fires of winter melt away and the war will resume with all its ferocity.

I have taken this floor many times to decry the ethnic cleansing that continues in Bosnia and to urge our Government, and the U.N. Security Council, to act more responsibly in addressing this terrible tragedy. It comes as no surprise that those affected by our inaction are astonished at our apparent indifference, and chastise us for failing to uphold basic moral and legal norms.

On Wednesday, the Washington Post printed a portion of a statement by Vinko Cardinal Puljic, archbishop of Sarajevo. While the United States, along with the U.N. Security Council and NATO sit on our hands, we cannot also cover our ears. The archbishop of Sarajevo knows of what he speaks. The Senate would do well to listen.

I ask that the article be printed in the RECORD.

The article follows:

[From the Washington Post, Apr. 5, 1995]

FOR THE RECORD

(By Vinko Cardinal Puljic)

I, like so many in Bosnia-Herzegovina, am astonished and bewildered . . . at the international community's indifferent, half-hearted, inconsistent and ineffectual response to aggression and "ethnic cleansing." Not only has [it] not acted decisively, it has even contributed to the ethnic division of Bosnia and has legitimized aggression by failing to uphold basic moral and legal norms.

If the principles of peace and international justice are buried in the soil of the Balkans, Western civilization will be threatened. . . . I am convinced that there are moral means to thwart immoral aggression. The international community must have the will to use the means available to it to protect threatened populations, to encourage demilitarization and to establish other conditions necessary for progress toward peace. The solution cannot be simply to give up and withdraw. If the United Nations and the international community do not now have effective means to respond to the humanitarian crisis in Bosnia and elsewhere—and it is clear that they do not—then nations have the responsibility to take the steps necessary to develop more effective international structures.

This is not a religious conflict, but some would misuse religion in support of ethnic division and extreme nationalism. Therefore, as a religious leader, I believe I have a special responsibility to stand beside those who are victims of injustice and aggression, regardless of their religious, ethnic or national identity. I also believe that, even though a just peace seems far off, religious and other leaders must not wait for an end to war to begin the daunting task of reconciling deeply divided communities.●

THE SUPPLEMENTAL APPROPRIATIONS BILL

• Mr. LEVIN. Mr. President, last night, I voted for final passage of the supplemental appropriations bill.

The bill, as amended by the compromise substitute, is a distinct improvement over the legislation reported by the Appropriations Committee. The compromise reduces Federal spending by nearly \$16 billion and restores funding to a number of critical programs affecting children and education.

This includes a broad range of programs that I very strongly support: Head Start, education reform, safe and drug free school programs, the Women Infants and Children Program, the childcare block grant program, title I programs to improve reading, writing, and math skills for educationally disadvantaged kids, impact aid, and the TRIO Program for first generation college-bound students, and the national service college scholarship program—AmeriCorps.

However, the legislation still cuts too deeply into important programs which the American people approve of such as assisting the States in protecting the quality and safety of our drinking water, the opening of Jobs Corps centers already announced, and for which communities across the country have expended funds and resources and funding for the promised environmental cleanup of military bases.

One of the great disappointments on this bill was the defeat of the Mikulski amendment by a vote of 68 to 32.

The Mikulski amendment would have restored funds for a number of important national programs such as the housing program, and also would have funded the EPA Center in Bay City, the CIESIN facility in Saginaw, and announced Job Corps centers in nine cities across the country, including Flint.

I have already begun discussions with colleagues in an effort to restore some of these cuts in conference between the House and the Senate.●

U.S.-HONG KONG POLICY ACT REPORT

• Mr. MACK. Mr. President, the March 31, 1995 report required by the U.S.-Hong Kong Policy Act made some useful contributions to the historical record of Hong Kong's transition from a dependent territory of the United Kingdom to a special administrative region of the People's Republic of China. The report correctly assessed Governor Patten's highly touted legislative reforms as modest.

The account given of threats to press freedoms was also important, in light of the People's Republic of China's recent actions against Hong Kong and other journalists. While the report included the case of Xi Yang, the Hong Kong reporter imprisoned inside mainland China for "stealing state financial secrets," it would have been appropriate for the report to have included the detail that the secrets were planned increases in interest rates and the sale of gold.

Most important, the report expressed U.S. support for "continued development of democratic institutions * * * and the conduct of free and fair elections after July 1." I hope the United States Government is making this position clear to the People's Republic of China in no uncertain terms.

The report neglected to discuss a number of important developments which I highlight here because they are so critical to the future of the territory.

Much as China's treatment of the press has had a chilling effect on Hong Kong journalists, the People's Republic of China's harsh and arbitrary treatment of businessmen is having pernicious effects in Hong Kong. The People's Republic of China frequently arrests, imprisons, and holds incommunicado, foreign businessmen—almost 20 in the past 3 years—particularly those with whom People's Republic of China state-owned enterprises have commercial disputes. For example, at the instigation of the People's Republic of China, James Peng, an Australian citizen, was arrested by Macau police and deported to Shenzhen in Guangdong Province. Mr. Peng's offense was that he won a legal battle to retain control of his company, a Sino-foreign joint venture listed on the Shenzhen stock exchange. Another businessman, Zhang Guei-Xing, who holds an American green card, was jailed under horrific conditions in a detention camp in Zhengzhou for 2½ years. A Miami businessman, Troy McBride, has been detained in Anhui province since mid-March, his passport confiscated, because of a commercial dispute. In the People's Republic of China today, economic disputes have become economic crimes. Arrests, detention, and harassment of businessmen are just one more business practice. The ultimate goal is a settlement involving the surrender of property or other assets—in effect, a ransom payment.

Hong Kong's Independent Commission Against Corruption [ICAC] reports a sharp increase in corruption complaints as the People's Republic of China and Hong Kong markets become more intertwined. The People's Republic of China's treatment of businessmen, the absence of the rule of law, and the insidious spread of corruption from the mainland to Hong Kong, must be included in future U.S.-Hong Kong Policy Act reports.

The report's recognition of the lack of progress and even stalling on rule of law issues within the joint liaison group is also important. However, the report should have acknowledged that the role the joint liaison group has assumed in this transition period is contrary to the terms of the joint declaration, which expressly states that the joint liaison group is "not an organ of

power." Under the joint declaration's terms, Great Britain has the authority to govern Hong Kong until June 30, 1997.

The People's Republic of China's manipulation of the joint liaison group is part of the People's Republic of China's 10-year pattern of renegeing on its commitments under the joint declaration. Notwithstanding the recent public relations tour through the United States by Lu Ping, Beijing's top Hong Kong official, the People's Republic of China has repeatedly displayed its contempt for the joint declaration. Five years ago this week, in April 1990, Beijing codified significant deviations from the joint declaration in the basic law, the so-called miniconstitution for post-1997 Hong Kong that Beijing wrote and rubberstamped in its National People's Congress. The basic law subordinates the Hong Kong Legislature to the Beijing-appointed executive, and assigns the power of judicial interpretation to the standing committee of the National People Congress rather than to Hong Kong's judges. The basic law's provisions on the legislature may become moot however, since the People's Republic of China has promised or threatened to dismantle the Legco and Hong Kong's two other tiers of government.

Beijing also threatens to abolish the Bill of Rights, enacted by the Legco in 1991 in reaction to the Tiananmen Square Massacre, and over the objections of the Hong Kong government. Finally, a high official of the Chinese supreme court has suggested that Beijing will replace Hong Kong's common law system, which is synonymous with individual rights and the rule of law within a civil law system. China's own civil law system is explicitly subordinated to the Communist Party.

The status of plans for establishing a high court before 1997 is cause for concern as well, and here the report's brief treatment of the issue is troubling. The details of a Court of Final Appeal, to replace the Privy Council in London, as the territory's highest court were agreed to in the joint declaration. The U.S.-Hong Kong Policy Act report mistakenly accepts the 1991 agreement between the British Government of Hong Kong and China as a basis for the Hong Kong government's legislation implementing the court. The 1991 agreement explicitly violates the joint declaration and basic law. Accordingly, democratic legislators plan to amend it to bring it into accord with the joint declaration.

I was surprised and disappointed that the report did not address two matters of tremendous significance in this transition period and to post-1997 Hong Kong. First, the report omitted any discussion of the Patten government's rejection of proposals by Hong Kong's democrats for an official human rights commission. Over the next 27 months, the commission could define a human rights standard against which to judge the Hong Kong SAR government. The People's Republic of China's expressed

hostility to independent and democratic government institutions after 1997 is an argument for moving full-speed ahead with a human rights commission and other institutional reforms, not for backing off.

Also missing from the report was any mention of Great Britain's failure to report on human rights in the colony according to its obligations under the International Covenant on Civil and Political Rights.

As 1997 draws near, there will be a greater need for accurate and timely reporting on developments in Hong Kong. There is also a need for a clearer recognition of the implications of the People's Republic of China's behavior for the people of Hong Kong. I look forward to future reports and hope that, in the intervals between reports, my colleagues in the United States, Congress and other friends of Hong Kong will pay close attention to the statements and actions of the Beijing and Hong Kong governments. Above all, there must be more attention to the voices and concerns of the Hong Kong people.●

IMPACT AID

● Mr. SPECTER. Mr. President, last night we completed action on H.R. 1158, the supplemental appropriations and rescissions for fiscal year 1995. I wanted to briefly discuss one provision included in the leadership amendment adopted last evening to restore funding for impact aid. As my colleagues know, the Impact Aid Program is designed to provide aid to assist communities which have significant Federal presence in meeting education objectives. Specifically, this funding is important to Hatboro-Horsham school district in eastern Pennsylvania. My colleague, Senator SANTORUM, and I have heard from the local school district regarding this funding.

I am aware of the importance of this funding to other areas of the country. In particular, I want to note the efforts of my friend and colleague from South Dakota, Senator PRESSLER, to preserve the impact aid funding. He personally told me of the adverse effect of the proposed rescission would have on a number of South Dakota schools, including the Pollock school district in northern South Dakota. I commend Senator PRESSLER for his leadership and for looking out for the educational interests of South Dakota schools, students, and families.●

ORDERS FOR MONDAY, APRIL 24, 1995

Mr. GORTON. Mr. President, when the Senate completes its business today, I ask unanimous consent that it stand in adjournment, and on Monday April 24, 1995, at 12 noon, following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be waived, the morning

hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business until 1 p.m., with Senators permitted to speak for up to 5 minutes each.

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

PROGRAM

Mr. GORTON. Mr. President, at the hour of 1 p.m., it will be the intention of the majority leader to proceed to the consideration of H.R. 956, the product liability bill. For the further information of all Senators, the Senate will begin the product liability bill at that point but no votes will occur before 3 p.m. on Monday.

ORDER FOR RECESS UNTIL MONDAY, APRIL 24, 1995

Mr. GORTON. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that following my own remarks, the Senate stand in adjournment under the provisions of House Concurrent Resolution 58.

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

ORDER FOR RECORD TO REMAIN OPEN

Mr. GORTON. I ask unanimous consent that the RECORD remain open until 2 p.m. today for the introduction of bills and statements.

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

ACCOMPLISHMENTS OF THE 104TH CONGRESS

Mr. GORTON. Mr. President, I wish briefly to add my reflections on the accomplishments of this Congress and especially of our colleagues in the House of Representatives during this first 100 days of that historic Congress.

The new leadership of the House of Representatives made certain commitments, ambitious commitments to the people of the United States in the course of last year's campaign covering a number of vitally important subjects to the people of the United States. Those commitments were repeated after the election was over. Those commitments have been kept to the letter by our colleagues in the House.

I believe that this remarkable record of achievement has created a distinct resonance on the part of the American people whose opinion of Congress, extremely low as recently as 6 months ago, has at least begun to recover. Perhaps more significant in the long run will be the content of the 100 days' promises, dramatic changes in the way in which Congress does its business, a very real attack on the problem of violent crime in our society, a major step