

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1996 and 1997—CONFERENCE REPORT

The Senate continued with consideration of the conference report.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for up to 5 minutes.

Mr. THOMAS. Mr. President, I rise in support of the conference report on H.R. 1561, the State Department Reorganization Act, and of the distinguished chairman of the Foreign Relations Committee.

I do not need to reiterate for my colleagues the tortuous route that this bill has followed to make it to the floor today; I believe we are all aware of it. Let me just note why I feel this bill is important.

This legislation was the first authorization measure to reach the floor of the Senate within budget targets, fulfilling the mandate the American people gave us last November. This bill is a promise kept: money is saved, redundant bureaucracies eliminated, and the ability of our Nation to conduct foreign policy enhanced.

We will hear all sorts of arguments against this legislation. Let me just address a few that fall within the jurisdiction of my Subcommittee on East Asia. Several of my Democrat colleagues circulated a "Dear Colleague" letter last week on the China-specific provisions of the conference report. In it, they expressed concern that "[s]everal provisions in this report are unnecessarily provocative to China and precipitate continuing destabilization of U.S.-Sino relations."

Let me say here that I am a great supporter of improving relations with the People's Republic of China; I am supportive of the one-China policy. But I have examined the sections with which they were concerned, and find them essentially to be strawman arguments, without impact on our adherence to the one-China policy. Let me go through them one by one.

First, they are concerned with section 1601, which declares that the provision of the Taiwan Relations Act (22 U.S.C. §§3301 et seq.) supersede provisions of the United States-China joint communique of August 17, 1992.

Frankly, as the chairman of the Subcommittee on East Asia and Pacific Affairs, I don't share their opposition to this particular provision. The Taiwan Relations Act, which governs our relationship with Taiwan, is a statute and as such is the law of the land. The only thing which could supersede it would be a treaty. The communique, however, is not a treaty; it was never presented to the Senate for its advice and consent. Rather, it is simply an official announcement of the intentions of the respective parties. Consequently, it is not binding on either party, and has no force of law in the United States.

Section 1601 is therefore simply a restatement of legal fact. As such, I am at a loss to understand why it would be objectionable to the Chinese, objec-

tionable to my colleagues, or a source of encouragement to pro-independence elements on Taiwan.

Second, they fault section 1708 which supports the admission of the President of Taiwan with all appropriate courtesies. Mr. President, while I myself am not a fan of this section, I would note first that the section does not mandate the admission of President Li. Second, I would note that just this week President Lee said we would not seek to make such a visit.

Third, they fault section 1606 which would according to them, and I quote, "impose unnecessary new reporting requirements on the State Department to provide detailed information and political judgments on the implementation of the Sino-British Joint Declaration on Hong Kong".

I find this the least compelling of their concerns. We regularly require the State Department to make these reports all the time; the Department probably prepares such a report on almost every country in the world save some of the smaller ones.

We have a real interest in assuring that the People's Republic of China lives up to their agreements, and such a report would be extremely important that they do so in relation to their promise to protect democracy there after 1997. An annual report would be especially helpful to this body in following developments there.

Their next complaint is that section 1603 would change the name of Taiwan's office here from Taiwan Economic and Cultural Representative Office to Taiwan Representative Office. I fail to see how this simple name change can cause so much consternation.

Finally, Mr. President, they oppose section 1303, regarding Tibet. I would note, however, that this section simply authorizes the President to appoint a special envoy; it does not require him to do so. If he finds the idea so objectionable, then he does not have to make the appointment.

Mr. JOHNSTON. Will the Senator yield?

Mr. THOMAS. I yield.

Mr. JOHNSTON. Mr. President, what I meant is sort of a precipitating event that caused this tit-for-tat thing, and the Chinese are clearly greatly to be criticized for all of those things that my colleague said, but I really meant the precipitating events. You can point to that as the events that started it all, and that has led from that point on.

Mr. THOMAS. I appreciate the comments. I do not think there is any question that we should understand how important that is to the People's Republic of China. It probably means more to them than it does to us and we need to recognize that.

So my colleagues can see that these five sections, taken independently, are of little if any import. Some of my colleagues have said that, while that may be the case, taken together they are alarming. Well, Mr. President, if sepa-

rately these sections equal zero, then they still equal zero when added together.

I take exception to the argument of the Senator from Louisiana that United States-China relations were going along fine until we decided to admit President Li to the United States, and that these sections will simply make matters worse. Frankly, that's a statement I would expect to hear from the Chinese Ambassador here. What about their nuclear transfers to Pakistan? What about their failure to live to the intellectual property rights agreement? What about their pretensions in the Spratly Islands? What about human rights violations? What about their back-sliding regarding Hong Kong?

Mr. President, the present state of affairs is hardly the sole fault of the United States. And these give sections are hardly going to cause a precipitous downturn in those relations. As the Chinese say, it takes two hands to clap.

So again Mr. President, I rise in support of this proposal. I think it is one of the things that the voters said to us in 1994. They said we need to make some changes in the way the Federal Government operates; that the Government is too big, it spends too much, and that we should find better ways to deliver services, that we should find more efficient ways to use tax dollars.

This bill is the way to do that. Mr. President, every other sector of our Government is facing difficult cuts and reorganization; the foreign policy sector should have to bear the same burden as any other. This is not about isolationism, though many Democrats would have the public believe otherwise in a hope to obscure the issue, not about usurping the role of the executive branch, nor is it about a vendetta aimed at a particular set of bureaucrats.

I cannot commend Chairman HELMS enough on his hard work and persistence on this legislation; I urge my colleagues to support it.

DEBT LIMIT INCREASE

The PRESIDING OFFICER. The Chair announces that H.R. 3136 has just been received from the House, and under the previous order the bill is considered read a third time and passed and the motion to reconsider is laid upon the table.

So the bill (H.R. 3136) was considered read the third time and passed.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1996 AND 1997—CONFERENCE REPORT

The Senate continued with consideration of the conference report.

Mrs. FEINSTEIN. Mr. President, I believe I have an hour reserved and I yield myself such time as I may consume.

Mr. President, I rise as a member of the Foreign Relations Committee to

express my strong opposition to the conference report to accompany H.R. 1561, the State Department authorization bill.

This bill has been the cause of much turmoil, as we all know. It began with the markup of a bill that the Democrats on the Foreign Relations Committee had no part in drafting, and that many felt contained an excessively far-reaching plan to eliminate three foreign affairs agencies: The Agency for International Development, the Arms Control and Disarmament Agency, and the U.S. Information Agency.

When that bill reached the floor, Republicans were unable to invoke cloture on it. Meanwhile, the Senate was prevented from taking action to confirm 18 ambassadors, several hundred Foreign Service officer promotions, and to consider two critical arms control treaties—START II and the Chemical Weapons Convention.

Finally, last December, after several arduous weeks of negotiating, the distinguished chairman of the Foreign Relations Committee, Senator HELMS, and the distinguished Senator from Massachusetts, Senator KERRY, reached a compromise version of the consolidation plan that allowed the bill to be voted out to conference.

This, in turn, resulted in the Senate immediately confirming the ambassadorial nominations that had been on hold, and taking action soon thereafter to ratify the START II treaty. In addition, hearings are now underway that will lead to a vote by the full Senate on ratification of the Chemical Weapons Convention by April 30. For that I am grateful.

I was among those who voted for S. 908 last December, in part because I felt the compromise consolidation plan reached by Senators HELMS and KERRY was a reasonable plan. However, my major motivation was to get it to conference so that we could take action on the ambassadors and treaties that were before the Senate.

Unfortunately, the bill that has come back from conference has many, many problems. First of all, the consolidation plan that came back from conference has moved considerably from the fairly reasonable compromise reached by Senator HELMS and Senator KERRY. The conference report version requires the elimination of three agencies: USAID, ACDA, and USIA, two of which the President can later choose to preserve. This provision differs sharply from the preconference version which gave the President full discretion over whether or not to eliminate an agency. The new report also requires \$1.7 billion in savings over 4 years, rather than over 5 years, as was in the Senate-passed bill.

Now, philosophically, Mr. President, it is my very strong belief that a President, any President, must and should be able to organize or reorganize the foreign affairs agencies of the United States as he or she sees fit.

I basically believe that foreign policy should be bipartisan, that we should work out our difficulties and speak as one Nation, as represented by our President. But I believe the President must be in charge of foreign policy. I came to that belief, Mr. President, ironically when I was a mayor. I was visited by the Chancellor of Germany, Helmut Schmidt. I saw, when I visited with him at the Fairmont Hotel, that he was chain smoking and was very upset. I said, "What is wrong?" He said to me an interesting thing. He said, "You know, you Americans have no idea what you do when you reinvent the wheel of foreign policy every 4 years. You have no idea what it does to your allies." He went home and, 2 weeks later, he resigned.

I thought that was very interesting, and I never forgot what he said. So I began to watch American foreign policy a little differently. I saw where it is very difficult for many countries to really understand with what voice this Nation really speaks. I understand the separation of powers. I understand the balance of powers. And yet, we must, as a nation, speak to other nations with one voice and with clearly defined policies. I am finding that becomes more and more difficult.

So, consolidation is not the issue. Many of us support consolidation, but we can only support it if it is done in such a way that we provide our President, whether he be Republican or Democrat, with flexibility in the organization of the foreign affairs agencies. Unlike the compromise version that passed the Senate, this conference report returns to a coercive approach that forces the President to eliminate at least one agency over his objections. I simply cannot support a consolidation plan structured in this manner.

Second, this conference report does nothing to address the unprecedented restrictions that were placed on U.S. international population and family planning assistance in the fiscal year 1996 foreign operations bill.

After months of stalemate on that bill, a conference report was sent to the President, which has the effect of cutting U.S. international population and family planning programs by some 85 percent. These restrictions will have a seriously negative effect on women and families around the world. Family planning assistance, which helps women plan and space their pregnancies, has proven to be a major factor in curbing poverty and starvation and overpopulation, and providing the opportunity for a decent way of life in many parts of the world that are badly overcrowded with children, starving by the thousands because of lack of food.

Ironically, the restrictions in the foreign operations bill are advocated by those who oppose abortion and argue for a so-called pro-family agenda. But U.S. law already forbids the use of any U.S. foreign assistance for the provision of abortions.

As the distinguished chairman of the Appropriations Committee, who is a

proud opponent of abortion, has pointed out time and time again, depriving millions of poor women of access to voluntary family planning services will only result in more unwanted pregnancies and more abortions. This bill fails to address these misguided restrictions.

Third, this bill prohibits any funds from being used to open, expand, or operate diplomatic or consular posts in Vietnam, unless the President certifies that the Vietnamese Government is fully cooperating with the U.S. in a number of areas related to the search for POW's and MIA's—a worthy statement. The problem is that these areas are effectively uncertifiable. In addition, failure to expand our new relationship with Vietnam could actually jeopardize the significant progress that has been made on the POW/MIA issue.

Furthermore, this provision unduly restricts the President's ability to conduct foreign relations according to his understanding of U.S. national interests. And by this I mean that it places conditions on whether or not the President can open an embassy.

Finally, at the time of the vote on S. 908, I made it very clear that there was an entire category of provisions in the bill, wholly separate from the consolidation aspect, that I found deeply troubling. These provisions related in various ways to the United States' relationship with the People's Republic of China, the largest country on Earth, and the most dynamically growing country in the world today.

At that time, I expressed the hope that these provisions would be ameliorated or removed in conference. In fact, I said that the resolution of these matters would be critical to my consideration of whether or not to support the conference report.

Unfortunately, virtually every one of these provisions remains in the bill. Some are in a slightly modified form, but they remain objectionable. There are even some new provisions on China in this conference report that were not in the original bill. Let me first list the provisions in this bill relating to China and then explain why they will result in my voting against this conference report.

Section 1601 declares that the provisions of the Taiwan Relations Act supersede provisions of the United States-China joint communique of August 17, 1982.

Section 1603 allows the Taipei Economic and Cultural Representative Office, TECRO, to change its name to the Taipei Representative Office.

Section 1606 imposes unnecessary new reporting requirements on the Department of State to provide detailed information and political judgments on the implementation of the Sino-British Joint Declaration on Hong Kong.

New in the bill, section 1702 imposes excessive reporting requirements on the President with respect to human

rights in China, beyond those already required in the annual Human Rights Report, which I have just read. It is a detailed report, and I believe very strongly that it was inaccurately reported in the press. Section 1702 expresses the sense of Congress that the President should impose human rights-related preconditions on a possible future visit to China.

Section 1708 supports the admission of the President of Taiwan to the United States for a visit in 1996 "with all appropriate courtesies".

A new section, section 1709, supports the United States pushing for Taiwan's admission to the World Trade Organization [WTO], without respect to the status of China's application to join the WTO.

Section 1303 authorizes the President to appoint a special envoy for Tibet, and such a person would have to carry the rank of Ambassador.

Another new section in the bill, section 1701, provides that the President should condemn a prison system in China and, in essence, demand that China dismantle the prisons. What nation has ever told us to dismantle a prison? Would we listen to that, and would we be affected by it if they did that? I think not.

The simple fact of these eight provisions, and others, suggests something about this bill: It is excessively preoccupied with China. No other country receives half the attention China receives in this bill.

But far more serious than the preoccupation with China is the very serious damage that these provisions could do to our increasingly important and, I must say, increasingly strained relationship with China. I happen to believe strongly in the importance of the proper development of a relationship with the People's Republic of China, which is the most overlooked and most significant bilateral relationship in the world today.

I also happen to believe that there are those in China and in this country who would like to see it become an adversarial relationship. Yes. Would they like to see a return to the dangerous, pivotal, bipolar superpower arrangements that existed all during the cold war? That is what is understood by their actions. Nations then line up. They are either in one camp or the other. It is good for weapons sales. I do not want to see that happen. This relationship is too important to peace and stability in Asia. And, yes, it is too important to the prevention of major misunderstanding which could lead to a potential and devastating third world war.

As my colleagues know, the past few weeks have seen tensions in the triangular United States-China-Taiwan relationship reach new heights. As Taiwan's first fully democratic presidential election approached, China felt compelled to vent its displeasure over what it has perceived as a pro-independence policy in Taiwan by conducting missile tests and live-ammunition military exercises in the Taiwan

Strait. These tests and exercises by China were unnecessary, dangerous, and provocative. And I have said as much directly to the highest-level Chinese officials.

The administration responded prudently by expressing its deep concern, by sending the U.S.S. *Nimitz* carrier group to join the U.S.S. *Independence* carrier group in the region to monitor events there, and by making it clear to the Chinese that any attack on Taiwan would have very grave consequences. This is in anyone's book strong and definitive action.

Under these tense circumstances Congress, I believe, must be very careful right now, post-Taiwanese election, not to take any action that would make a potentially difficult situation worse. There is a real window of opportunity. There is a calling for the first democratically elected President of Taiwan to take some steps to clarify Taiwanese policy, to indicate the willingness to reinstitute the across-the-strait dialog, and to clarify once and for all—perhaps jointly with China—a One-China policy.

I believe, as far as the United States is concerned, that we do not need legislation to further inflame the situation. The point has been made. The election has been held. The Taiwanese President has been reelected. Now we need to play the pivotal role of encouraging the parties to get together and discuss a peaceful resolution of their difficulties.

Without firm United States adherence to the principle of one China we would be unable to conduct any kind of normal relations with Beijing. This is an undeniable fact of life, no matter what anybody in this body says.

If there is not a One-China policy, we drive the People's Republic of China into the adversarial Soviet Union-type of response and a cold war. I do not believe this is desirable United States policy. And that is the impact. That is the practical, as I would say, "on the streets" impact of this bill.

I do not believe that the United States is going to retreat on a One-China policy. But to amend the Taiwan Relations Act to explicitly supersede the 1982 joint communique is to give substance and credibility to China's fears. That is what they suspect we are up to. Why would we take that provocative step at this time? For what reason other than to enable ourselves to become incendiary? From the Chinese perspective, it would be tantamount to a declaration that we were about to send a new round of arms sales to Taiwan, that we no longer subscribe to the One-China policy, and that we are meddling deeply in their internal affairs.

Not only would passing this provision be foolhardy; it is also unnecessary. The Taiwan Relations Act is the law of the land. And, like any law, it carries greater weight than any diplomatic agreement, other than a treaty.

But to amend the act to explicitly state that it supersedes the 1982 joint communique would be seen by China as an outright repudiation of a critical

and stabilizing element of our longstanding policy toward China subscribed to by six United States Presidents.

I want to commend the administration for listing this provision prominently among the principal reasons the President will veto this bill when it lands on his desk.

Elsewhere in this conference report Congress expresses its support for a visit to the United States by the President of Taiwan in 1996 "with all appropriate courtesies". I must ask my colleagues: How short are our memories? For over 10 months our relationship with China has been in crisis. Here is a country—Taiwan—that says it is in opposition to independence, that says as late as March 5 in a written directive by the Taiwanese premier, that "We are in opposition to independence." Why then would we ask a leader who is not representing an independent country to make an official visit? It does not make sense.

Li Teng-hui's visit to Cornell was the event that sparked the incendiary nature of the last few months. And remember, that visit was billed as a private one; an unofficial one. One can only assume by using the phrase "with all appropriate courtesies" the authors of this provision mean to imply some kind of an official visit despite America's commitment—we made a commitment—to maintain only economic, cultural, and unofficial relations with Taiwan. That is our commitment. If our relationship with China has suffered that much over an unofficial visit, one can scarcely imagine the damage it would suffer in the wake of an official one.

I think we face a similar problem with the proposed name change of the Taipei Economic and Cultural Representative Office. It was only a year ago that the Taiwanese reached an agreement with the administration to change the office's name from the Coordinating Committee for North American Affairs to its current title. Now some are advocating a change to the Taipei Representative Office. I have asked the Taiwanese if they asked for this change. They said no, they did not. Then why are we doing it? Only to tweak China? Is this really necessary? Is this how we want to make foreign policy, a tweak here and a tweak there? "We know your Achilles' heel, China, and now we are going to press on it a little bit." Oh, my goodness.

The current title of the office accurately reflects the unofficial nature of our relationship with Taiwan based primarily on economic and cultural relations. There is no need to create a new title that is not desired, that implies some kind of broader recognition, other than to tweak China.

The people of Taiwan are to be congratulated for the democratic elections they have recently held. They can be justifiably proud. But the crux of our

difficulties with China is China's concern that we are in some way egging Taiwan on toward a declaration of independence.

That should not be the message we send.

These provisions give credible substance to China's fear. They suggest we are not satisfied with Taiwan's status and will undertake unilateral actions to nudge it in the direction of independence.

As I said, that is not our role. Our role as a friend of China and a friend of Taiwan is to encourage the peaceful resolution of the Taiwan issue by negotiation and mutual decision. The United States has no right to take actions that could lead to either a non-peaceful outcome or a non-negotiated outcome. Unilateral actions by any party in this matter are not acceptable.

There are other provisions which will be irritants of our relationship with China at best and counterproductive to our own goals at worst. For example, I am aware that the backers of the provision authorizing a special envoy for Tibet have only the best of intentions—to see life improved for the Tibetan people. However, I can assure my colleagues that the appointment of a special envoy for Tibet with the rank of Ambassador would be seen by the Chinese, once again, as an attempt to advocate for independence of an area they consider within their territorial boundaries. Even if this person never set foot in Lhasa—and we know that with the rank of Ambassador the Chinese would never let him set foot in Lhasa—we know the Chinese will view such a special envoy as interfering in their internal affairs.

Now, I am as committed as any Member of this body to improving the lives of the Tibetan people. My husband and I both regard his Holiness, the Dalai Lama, as a personal friend. I first met him in Dharmasala in 1978 and have spent many hours with him and his representatives discussing ways to help Tibet and Tibetans. In January, in Hong Kong, I met with his older brother, Gyalo Thondup, who has been his representative in many negotiations with the Chinese, and had an extensive discussion.

In 1991, I carried a letter from his Holiness, the Dalai Lama, to President Jiang Zemin asking for negotiations between the two sides. As mayor of San Francisco in 1979, I was the first public official to invite the Dalai Lama to visit a city in the United States—San Francisco, an official visit to my city. And since then I have been trying to find ways to bring the two sides together and to encourage China to understand that it is to China's great advantage to see that the culture and religion of the Tibetan people are protected and that human rights for the Tibetan people are improved.

I recite this background merely to make the point that I am well acquainted with the issue of Tibet and

have spent many years working on it. In my view, the appointment of a special envoy by the United States would be counterproductive. It would result in the Chinese being unwilling to talk with us or anyone else about ameliorating conditions for the Tibetan people.

What we need to do instead, through intense, continuing, low-key diplomacy, is to convince the Chinese that it is to their advantage to engage in talks with the Dalai Lama in which all issues other than Tibetan independence would be on the table. This I believe is an achievable goal but only if we avoid somehow injecting ourselves in the issue in such a way that the Chinese see us as advocates for Tibetan independence. You cannot have a special envoy with the rank of Ambassador and not create the impression that what we are trying to do is see Tibet as independent. Therefore, the Chinese will fight any improvements all the way. That is why I think this is not well thought out.

There has already been at least one missed opportunity to advance the cause of Tibet. After the last Panchen Lama died, the Chinese authorities invited the Dalai Lama to come to Beijing for a memorial service, but he declined the invitation. I believe that was a mistake because it would have given a new generation of Chinese leadership an opportunity to get to know the Dalai Lama as the fine person he truly is, as a caring, loving person, and a devout Buddhist.

By all means, we should continue to explore ways to achieve cultural and religious autonomy for Tibet and hopefully 1 day the return of the Dalai Lama and Tibetans in exile to their native soil. And in the words of an ancient Chinese proverb, When water flows, there will be a channel. I am hopeful that the water of negotiations will flow before too long.

In my discussions with Chinese leaders over the last year, they have repeatedly raised their concern that the United States is pursuing a policy of containment with respect to China, perhaps in the guise of something else. I do not believe we have such a policy, and I have said so. However, when I look at a bill like this one, full of provisions that deal almost patronizingly with an independent nation, China, I must say it seems that some, for whatever reason, do genuinely want to pursue a policy of containment. One certainly could not blame a Chinese observer for drawing that conclusion.

I think we have discussed at length in the past why a containment policy is unworkable and unwise. China is a nation of 1.2 billion people. It is a nuclear power. It is a permanent member of the U.N. Security Council and one of the fastest growing and most dynamic economies in the world. China is not going to be contained. What we need to do is set a long-term strategic and conceptual, goal-oriented relationship with certain priorities in our policies,

areas where we can work together, and a methodology for areas where there is a difference of opinion to be able to sit down over the long term at the table and make progress on those issues that divide us. I believe this is possible. We have enormous national interests in developing a peaceful and cooperative relationship with China, and we cannot do so by setting them apart, by making them the adversary that they do not want to be and that we do not want them to become.

I hope my colleagues will reconsider the wisdom of legislating in this area so excessively in the future.

Mr. President, for all of the problems contained in this bill, I urge my colleagues to oppose the conference report. If the bill is passed, I wish to commend the President for pledging to veto this legislation, and I look forward to congratulating him when he does.

I thank the Chair. I reserve the remainder of my time.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). Who yields time?

Mr. HELMS. Mr. President, I am assuming that Senator KERRY will yield. Would the Chair recognize that assumption?

The PRESIDING OFFICER. The Senator from Illinois is recognized on the time of the Senator from Massachusetts.

Mr. HELMS. Very well.

Mr. SIMON. I thank the Chair, and I will try not to impose on the time of Senator KERRY. I am going to vote against this, though I differ somewhat with my colleague from California, as I will explain very shortly.

I think the bill as a whole does harm to what we are trying to do in the area of foreign relations, and I say this with great respect for my friend from North Carolina, who chairs the Foreign Relations Committee, and who is my neighbor in the Dirksen Building and a friend.

We cut back on foreign aid. I know there is popularity to that. But when at town meetings people say, "Why don't we cut back on foreign aid and help the people in our country?"—as the Presiding Officer knows, I have been voting to help people in our country. Then I ask them, "What percentage of our budget do you think goes for foreign aid?" They usually guess 10 percent, 15 percent, 25 percent. And I say, "Less than 1 percent."

They are startled. We spend less, as a percentage of our budget, on foreign aid than any of the Western European countries and Japan. If you put all the Western European countries and Japan together, we spend less than any of them. It does not make sense.

We are authorizing \$6.5 billion for fiscal year 1996-97. That is a \$500 million cut, while at the same time, this year, we have given the Pentagon \$7 billion more than they requested. U.S. security would be helped immensely if we were to give the Pentagon what they requested and use a portion of this for foreign aid.

For example, the housing guarantee programs in South Africa and Eastern Europe are totally eliminated. I know a little bit about South Africa. I do not know that much about Eastern Europe, but I think the situations are somewhat similar. In South Africa, it is vitally important for that country to show the people of that country that they are going to make some progress. Nelson Mandela is immensely popular today, both in the white and black community in South Africa. Public opinion polls are almost identical for whites and blacks there. But the reality is, he has to show that he can deliver for people who have been oppressed, and the housing program is an inexpensive way for the United States to help. Mr. President, 28 million poor people have been helped by our housing program in Eastern Europe and South Africa—and we want to eliminate that.

Regarding limitations on U.S. assistance on population, if you do not have population assistance, let me tell you, the abortion rates go up and other problems arise. It is very interesting. If you look at Japan, for example, where they have programs to tell people about contraception and other things, you have a very low abortion rate. You also have less than 1 percent of children born out of wedlock. If you have assistance on planned parenthood and that sort of thing, we reduce the abortion rates.

We also reduce the problem—it depends on whose estimates you believe, but the world population is going to grow. It will roughly double in the next 45 to 60 years. The most conservative estimates are 45 years; the more optimistic are 60 years. We ought to be helping out.

The United Nations—and here I applaud my colleague who is the Presiding Officer for being very responsible in this area—the United Nations, we now owe them \$1.4 billion. The budget for the United Nations, for New York, Geneva, and the six commissions, not counting peacekeeping, is \$1.2 billion for a year. In other words, we owe more than a year's expenses for running the United Nations. Running the United Nations takes \$500 million less than running the New York City police department. The No. 1 deadbeat in the world is the United States.

Do not kid yourself that we are not hurting ourselves. Here is today's newspaper, an Associated Press story, "World Bank Arrears Disqualify United States. American contractors can't bid on \$2.1 billion in projects." Why? Because the World Bank has a rule, if you get too far back in what you owe, that country cannot bid on projects. So, contractors in Illinois and Arkansas and North Carolina and Vermont are hurt by our being a deadbeat here. I hope we will do better.

Then I would like to comment on the China situation a little bit. Real candidly, if I were to write the language in this resolution, I would write it differently. But I have to say, I do not

think we should quake every time China growls. I share with the chairman of the Foreign Relations Committee a feeling that we should let Taiwan know that a freely elected government is regarded as a friend of the United States.

Perhaps inviting President Li officially here right now may not be the right thing while China's leadership is going through this turmoil, but to turn a cold shoulder constantly to Taiwan, when they have a free press, multiparty system, free elections—they are the seventh biggest trading partner of the United States, they are second only to Japan in the foreign reserves they have—to pretend there are not two countries there is just a mistake.

I heard my colleague from California, Senator FEINSTEIN, for whom I have high regard, I heard her talking about the Shanghai communique and, while we have said as a nation we recognize one China, frankly I think that was a mistake. We cannot reverse that overnight. But that was done at a time when we were worried about the Soviet Union and we were trying to keep China and the Soviet Union apart. But the reality is, we ought to treat China and Taiwan as we did West Germany and East Germany. Both East Germany and West Germany did not like it that we recognized the other side, but that did not prevent the two of them from eventually coming together again. But we said the reality is there are two governments and that is the reality today.

I think we have to be sensitive to the Chinese situation. I do not think, to use Senator FEINSTEIN's language, we should just be tweaking China whenever we can. I think we ought to be firm, solid, and let them know that military aggression is not going to be tolerated. We have not been as firm as we should be.

Senator FEINSTEIN is right when she says our policy has been one of zigzagging. Without going to the Presidential level, I frankly think we ought to have cabinet members from both sides appearing in each other's country. When I was in Taiwan, I do not know, 3 years ago or so, the Foreign Minister had a luncheon honoring me, but our representative in Taiwan—we do not even have the courage to call him an ambassador—our representative in Taiwan could not come because the luncheon was in a government building. He is not allowed to go into a government building.

That is just ridiculous. We have to recognize reality. When we face a choice of cuddling up to democracies or dictatorships, the United States of America should not have a difficult time. We ought to be siding with democracies rather than dictatorships.

I think we ought to say to China, "We want you to be our friend." But we also ought to say, just as firmly, "We are for democracies." And I hope gradually we will recognize that there

are, in fact, two governments over there. To pretend anything else invites possible trouble.

Let me just add this. I heard Tibet mentioned. That is history now, not good history, but I am afraid that is done. But if we do not say very clearly "you cannot invade Taiwan or send missiles there," dictatorships are never satisfied with just one piece of property.

The reality is, if China takes Tibet, it will not be too long and they are going to go up and take Mongolia. Look at some of those Chinese maps. They already have Mongolia as part of China, and who knows where it goes next. We should learn the lessons from history, and we should side with democracies while we maintain reasonable relations with dictatorships.

Mr. President, I yield the floor.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER (Mr. JEFFORDS). The Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, what we are doing is alternating this side and that side. I suggest it is appropriate now for the Chair to recognize the distinguished Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. HELMS. I thank the Chair.

Ms. SNOWE. Mr. President, I want to thank the chairman, and I want to thank you, Mr. President.

I rise in strong support of the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act for fiscal years 1996 and 1997. As chair of the Foreign Relations Subcommittee on International Operations, we have jurisdiction over these issues contained in this legislation, and I am very pleased with the report that the conference committee issued with respect to this important bill.

I commend the chairman of the Foreign Relations Committee, Chairman HELMS. I know this has been a long and difficult road to bring this authorization bill to this point. Regrettably, we did not have enough assistance from the administration or the State Department to work out the differences that developed between the committee and this administration and the State Department. But regardless, I think the bill that has come before the Senate and has come before the House is a bill that certainly should be accepted by both sides.

Frankly, as one who has been involved in this process as the ranking member of the similar subcommittee in the House for almost 10 years, I am somewhat surprised at the way in which the State Department or the President has refused to negotiate the differences on some of the issues that have been at the forefront of this authorization bill for more than 1 year.

I have never been in a situation in being responsible for this authorization bill in which the President has never submitted an authorization request. We have not yet to date ever received

a State Department authorization bill for the issues before us referring to the State Department authorization and the other related agencies, such as international broadcasting activities, international exchanges, as well as international organizations and our contributions to the United Nations as well.

We have never yet in this entire process received a bill from the administration with respect to any one of these issues. And, as I said, this is the first time in all of the years in which I have had the responsibility of addressing the State Department authorization bill that a President has failed to submit a legislative authorization bill.

But be that as it may, we worked it through the process, as Chairman HELMS indicated. It was a difficult process, to say the least. But here in the Senate in December, the bill passed by a margin of 82 to 16. It received tremendous bipartisan support. So I would expect that this conference report should receive the same bipartisan support. If anything, this conference report is even stronger than the bill that passed the Senate back in December.

But I think it is important to review what occurred over this last year to have reached this point and to demonstrate that the conference report that is before this body reconciled the differences, in fact, came a long way to accommodate the differences that the minority had in the committee or here on the floor or that the President had or that the State Department had, but every time we reconciled those differences, they moved the goal posts. They were unwilling to resolve and to reconcile the issues that are before us today.

But I think it is important to review exactly how much we have accommodated the administration's concern, as well as the minority.

First of all, when you are looking at the consolidation issue, it is important to remember that back in January of 1995, Secretary Christopher himself acknowledged that consolidation was possible. He, in fact, proposed to the administration that the consolidation of three agencies into the State Department was a realistic approach.

The Vice President recommended that we could achieve savings in the State Department and related agencies of approximately \$5 billion over 4 years. So that is the point at which we started this whole proposition.

So the Senate Foreign Relations Committee, with Chairman HELMS, recommended that we consolidate three agencies with a savings of \$3 billion.

We started working through the differences. The minority members of the committee said, "No, we don't want to support consolidating any agencies." But they did, in fact, agree to consolidating one agency with a savings of \$2 billion over 4 years. The majority in the committee said we will consolidate three agencies with \$3 billion over 4 years.

So here we are at this point with a conference committee report, and what do we have? We have a conference committee report that says we have to reconcile the differences between the Senate and the House. And so the Senate position going into conference was no agency consolidation but a mandate requiring \$1.7 billion over the next 4 years.

The House, on the other hand, had a position of consolidating three agencies over the next 5 years, with no specified savings. So what did we do? We came out of the conference committee with one agency, a savings of \$1.7 billion. That is very close to the position that was supported by the Senate back in December with a vote of 82 to 16.

I guess it is hard to understand why anybody would suggest that this is an unrealistic or unachievable consolidation proposal. We have come from the Vice President's proposal of \$5 billion down to \$1.7 billion, and even the minority on the committee supported \$2 billion worth of savings, and in the conference report we have \$1.7 billion in savings, so even less than what even they supported. They supported one consolidation, one agency to be consolidated in the State Department. That is what came out of the conference committee. We got one agency requirement for consolidation or merging into the State Department. So we have come a long way to reconcile those differences.

It is really hard to understand why there has been so much resistance to this effort and to make some accommodation to bridge the differences. We have certainly gone a long ways to reconciling those differences, not only within this body, but with the House as well.

Then we had the issue of the international family planning proposals. Well, again, the House bill contains some very restrictive language with respect to UNFPA and Mexico City policy provisions that, in fact, those are the same provisions that endangered the foreign operations appropriations bill last year. But we were able to remove those onerous provisions from the conference report. We removed all of them. But yet at the same time, again, we had objections from the other side, because they said, "Well, that's not enough. It is not enough that you took those provisions out. You should also have language in this conference report that overturns the restrictions and the reductions in international family planning programs in the appropriations bill."

That is an interesting recommendation considering the fact that the minority did not want to have any development assistance proposals in the State Department bill, and that is why almost all of the foreign aid language was removed, rightfully so, because the Senate never had that opportunity to consider that legislation. So it was removed. We took out all the inter-

national family planning restrictions and all the development assistance legislation. But yet at the same time, they are saying, "It is not enough because we think we should overturn the appropriations language."

Well, that process is occurring right now, hopefully, in the conference committee on the omnibus appropriations bill. But certainly the conference report is not the vehicle to do it, since we have taken out all the other foreign aid components.

I should say that the language that is in the current continuing resolution with respect to the international family planning programs are the very same programs in the very same continuing resolution that the President signed into law and was supported by Members of this body.

The appropriate vehicle for resolving the appropriation differences on international family planning funding is in the conference committee on the omnibus appropriations. That is where that debate should occur, not here in this conference report.

Our goal was to remove the restrictive language on international family planning and Mexico City provisions that would have set us back in those areas. We did that. That was a major accomplishment. There are important issues in this legislation that ought to be supported by all Members of this body.

This legislation contains several important policy initiatives, such as the McBride Principles. This would codify the McBride Principles and place them in permanent law.

The McBride Principles would establish a standard of nondiscrimination for any project or enterprise in Northern Ireland funded through our contributions to the International Fund for Ireland. This is a very important principle to uphold. I think this would be the first time that will provide an opportunity for all Members of this Senate to vote on the McBride Principles and to support codifying them into Federal law.

Another important policy initiative that this bill would place into permanent law is the Humanitarian Aid Corridor Act. This provision, first enacted on a 1-year basis in the foreign operations appropriations bill, would require that recipients of American aid not block the delivery of any humanitarian aid to any neighboring country. While drafted generically, it is intended to send a strong signal to Turkey, which in the past has frequently attempted to block the delivery of desperately needed humanitarian assistance to the people of Armenia.

A third major legislative initiative in this conference report is the Terrorist Exclusion Act, which I first introduced in the last Congress. This would restore the President's authority to exclude the entry into the United States of any individual who is a member of a violent terrorist organization. This is basically to restore the law prior to 1990.

So, I guess it is hard again, going back to the administration's position, to understand why the President and the State Department have gone on record in opposition to this legislation, because the agency reorganization is essential, even by the Secretary of State's own admission, even by the Vice President's own recommendations to save \$5 billion.

I cannot imagine that anybody would suggest that we cannot merge one agency into the State Department, that we cannot merge the Arms Control and Disarmament Agency. It is a modest agency of 250 people, that in this day and age when we need a new world order, when it comes to our own State Department and related agencies, we have to reorganize. It is important to have a unified, singular voice when it comes to delivering our foreign policy. That was the basic intent of this agency consolidation. But we have met resistance at every step of the way by the administration, even though at some point in time the administration or Members on the other side have indicated that they support such consolidation.

Let us talk about the funding levels. The authorization level in this conference report represents probably a high point in funding levels for these agencies. In fact, it is in conformance with the budget resolution. The reductions in funding are modest, no more than \$500 million under the 1995 funding level.

The President has argued for cuts in domestic programs, but this is the one area in which he is recommending an increase. In fact, the President recommended a \$1 billion increase in the foreign aid accounts. I think it is interesting that the President would recommend cuts in so many domestic discretionary programs in order to achieve a balanced budget, but insist on continued growth in foreign spending. But that is exactly the case, because in the statement that was issued by the administration, they objected to the funding levels that were incorporated in this conference report.

There has been opposition by some because of the provision that addresses the International Housing Guarantee Program. This program is routinely criticized as one of AID's most ineffective and wasteful programs. In fact, GAO has conducted a study of this program which subsidized housing for citizens of other countries. The GAO found that this program is well on its way to wasting \$1 billion in U.S. taxpayers' money—\$1 billion.

I cannot believe that the administration again is objecting to this provision to remove this program when it has already been demonstrated to lose for the taxpayers more than \$1 billion. The overall program represents a 40 percent loss to the American taxpayers with respect to the inefficiency and the ineffectiveness of this program. Yet, again, the administration states as one of its objections the fact that it cuts this

International Housing Guarantee Program.

We come to the issue of Vietnam. The bill simply requires the President to certify that Vietnam is fully cooperating on the POW/MIA accounting prior to establishing even closer relations with Vietnam. Now, how can anyone find this objectionable? The President has already taken every opportunity to state his belief that Vietnam is fully cooperating.

I may disagree with the President on that assertion, but be that as it may, if the President certifies that they are fully cooperating—that is his own prerogative and initiative as described in this provision—then he can move forward to establish even broader diplomatic relations. So I cannot understand why the President would object to this language.

Mr. President, it has been a long process with respect to this conference report. As I said earlier, again, I think it is important to remind Members of this body that we had no guidance, no counsel, from this administration. The fact is, in the process during the conference committee and prior to the meeting of the conference committee, members of the State Department, representing the administration and the Department, refused to offer language or to cooperate in the process throughout the month-long effort.

I think we could have reached a consensus at some point. It is hard to believe they could not support this conference report, because I cannot imagine being more accommodating on all of the issues that were of concern to them originally in terms of how many agencies would be required to be merged into the State Department, or how much savings we would realize as a result.

I mean, we basically went from three to one agency, and we went from \$3 billion to \$1.7 billion worth of savings as a result of agency consolidation and reorganization. From my estimation, I think that is a pretty reasonable compromise. I want to further remind this body again the Vice President said that we could achieve \$5 billion worth of savings, the Secretary of State said and recommended to the administration that we ought to be able to consolidate three agencies into the State Department. But we are only talking about one here now. We are only talking about saving \$1.7 billion.

We have had no legislative recommendations from this administration with respect to this State Department authorization. Again, as I said earlier, for more than a decade that I have been working on this very issue, I have never had an administration not submit a legislative proposal with respect to authorization for the State Department and related agencies.

The President, of course, can veto this legislation and has indicated he will. I hope that he will not because I do believe this conference report does strike a compromise between the

House and the Senate. It accommodates the concerns and the views of the administration. I think it is unfortunate if the President moves forward with a veto because he will have failed to seize an opportunity to move forward in this consolidation process and to reorganize our foreign policy structure.

It will be the President who vetoes that consolidation, and it will be the President who vetoes the savings in this bill. It will be the President who vetoes the McBride Principles and the codification of the Humanitarian Aid Corridor Act. It will be the President who denies himself the authority he needs to prevent members of terrorist organizations from entering the United States and endangering the lives of American people. That is the bottom line here with respect to this conference report.

I hope that Members will give this very serious consideration and adopt this conference report because it is, I think, a step towards the kind of goals we want to accomplish for our foreign policy structure, not only for the short term but for the long term.

Mr. President, I yield the floor.

Mr. BUMPER. Mr. President, I ask unanimous consent to proceed for 2 minutes on the time of the Senator from Massachusetts, to be followed by Senator PRYOR, who has some time coming.

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

Mr. BUMPER. Mr. President, I was sitting in my office earlier this afternoon and the senior Senator from Arizona came to the floor and chastised President Clinton for apparently discussing on the telephone with President Yeltsin the poultry embargo that the Russians had imposed against all American poultry. The Senator suggested that he hoped that the President had much greater things to discuss with the President of Russia.

Now, Mr. President, I do not know what they talked about, but I personally applaud President Clinton for bringing up that very difficult issue. The Russians import \$2.1 billion worth of all products in the United States every year, a little over \$2 billion, and one-third of that, over \$700 million of that, is poultry. Not just my State—it is North Carolina, Mississippi, Alabama, Texas.

Now, the Senator from Arizona acted as though there were something small or childish about the President talking to President Yeltsin about that embargo, which has now been solved. The President did exactly what I would expect him to do.

I know that the Senator from Arizona is not speaking for Senator DOLE. Would he say the same thing if they embargoed rice or wheat? Would we have heard that same speech if President Clinton had called President Yeltsin about a wheat embargo? I do not think so. I know that if Senator DOLE ever became President and we

had that kind of an embargo, in my opinion, he would not hesitate to pick up the phone and call the President of Russia about it.

I am just amazed. Here is a big trade issue, and trade is about all we talk about here anymore and about the so-called 301 retaliatory measures. I suspect, frankly, that President Clinton's intervention on that helped resolve it, and the people of my State are working today, the people in North Carolina, Alabama, and Texas are working today because the President called the President of Russia and said, "This is a funny issue. Why don't you let up?" I think that is what solved the problem.

I applaud President Clinton for his intervention. I deplore people trying to treat that in such a cavalier, simplistic manner.

Mr. PRYOR. Mr. President, I ask unanimous consent the Senator from Alaska be recognized for 8 minutes, and after the Senator from Alaska finishes, I be recognized for a 10-minute period. I ask that the time that I use be charged to Senator KERRY of Massachusetts.

The PRESIDING OFFICER. And the time of the Senator from Alaska?

Mr. MURKOWSKI. I believe Senator HELMS indicated a willingness to yield time.

Mr. HELMS. The Senator from Alaska, as far as I am concerned, can speak as long as he likes, but he has stipulated 8 minutes.

Mr. MURKOWSKI. I concur with the floor manager. Senator PRYOR was kind enough to allow me to go out of turn.

The PRESIDING OFFICER. Eight minutes is charged to Senator HELMS. The time of the Senator from Arkansas is charged to Senator KERRY.

Mr. SARBANES. Is it possible to continue the sequence of speakers, or does the chairman not wish to do that?

Mr. PRYOR. If I may respond, what we are doing is continuing the sequencing, because Senator BUMPERS, after finishing his presentation, we have asked that Senator MURKOWSKI on the other side be recognized, and then I would be recognized. I guess I would be recognized after Senator MURKOWSKI.

Mr. HELMS. In the natural course of things, Senator SARBANES would be recognized if time is yielded to him. I am sure that he can get that by unanimous consent, to be charged to Senator KERRY.

Mr. SARBANES. After Senator PRYOR?

Mr. HELMS. No, no, go back and forth. The Senator from Alaska is going to speak only 8 minutes.

Mr. MURKOWSKI. Mr. President, as we prepare to vote on the conference report on H.R. 1561, the Foreign Relations Revitalization Act of 1995, I rise to express my specific concerns that the statement of administration policy indicates that the President appears to be going to veto this bill based at least in part on section 1601, which reaffirms the primacy of the Taiwan Relations Act.

Mr. President, the opponents of the provision claim we are nullifying the joint communique. I totally disagree with this interpretation. Let me refer to the definition of the specific word "supersede" as used in section 1601. The Oxford dictionary say "supersede" means override. I was an original author of this language so I know a little about its legislative intent, and that is that the Taiwan Relations Act overrides the provisions of the communique only if the two are in conflict.

Now, section 3 of the Taiwan Relations Act commits the United States to sell Taiwan whatever defense articles it needs for self-defense and that the executive branch and the Congress will jointly determine what those needs might be.

In 1982, President Reagan pledged in a joint communique with China to decrease arm sales to Taiwan. That was the so-called bucket.

The Taiwan Relations Act was ratified by Congress and is the law of the land. Make no mistake about it. The 1982 communique is an executive agreement never ratified by the Congress.

Now, all that the provision in the conference report says is that the law of the land—the law of the land, Mr. President—the Taiwan Relations Act, will supersede the provisions of the joint communique if the two are in conflict. They have to be in conflict, Mr. President. That is the difference. This is simply a matter of legal precedence.

Mr. President, I ask unanimous consent that the reference from the Oxford dictionary be printed in the RECORD.

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

Supersede: To desist from, discontinue (a procedure, an attempt, etc.); not to proceed with -1750. *fb. intr.* To desist, forbear, refrain -1850. *†2.* To refrain from (discourse, disquisition); to omit to mention, refrain from mentioning -1689. *†3.* To put a stop to (legal proceedings, etc.); to stop, stay -1838. *b. Law.* To discharge by a writ of supersedeas 1817. *†4.* To render superfluous or unnecessary -1797. *5.* To make of no effect; to render void, nugatory, or useless; to annul; to override. Now rare or Obs. 1654. *6. pass.* To be set aside as useless or obsolete; (to be replaced by something regarded as superior 1642.) *7.* To take the place of (something set aside or abandoned); to succeed to the place occupied by; to serve, be adopted or accepted instead of 1660. *8.* To supply the place of (a person deprived of or removed from an office or position) by another; also, to promote another over the head of; pass, to be removed from office to make way for another 1710. *b. To supply the place of (a thing) 1861. 9.* Of a person: To take the place of (some one removed from an office, or promoted); to succeed and supplant (a person) in a position of any kind 1777.

5. The Norman invader superseded Anglo-Saxon institutions 1863. *6.* When this work must be superseded by a more perfect history 1838. *7.* Oxen were superseding horses in farm-work 1866. *9.* Captain Maling takes his passage to s. Captain Nisbet in the Bonne Citoyenne Nelson.

Mr. MURKOWSKI. For example, if the threat to Taiwan is increasing, de-

fensive arm sales should go up. They should not be arbitrarily limited by the bucket. Prior administrations have followed this principle in practice, such as selling F-16's to Taiwan, even though they were outside the dollar limits of the bucket.

It was a matter of convenience. We wanted to do it, so we found a way to do it. I do not see why the administration is objecting to this provision, because it is consistent with current practice. I would also remind my colleagues that the identical language passed out of the Foreign Relations Committee in 1994 on a 20-0 vote when I was a member of that committee.

Mr. President, I again find it incredible that the administration would issue this veto threat over a provision that was intended merely to restate reality: The law of the land takes precedence over a statement of policy. I do not think you could find one constitutional scholar who would disagree with that proposition.

Secretary of State Christopher, in correspondence with me in 1994, acknowledged that it was the administration's position, as it was of previous administrations, that the Taiwan Relations Act as a public law takes legal precedence over the 1982 joint United States-China communique, an Executive communication that was never, as I said, ratified by Congress. Mr. President, I have that letter from Secretary of State Christopher. When the letter was given to me, I told the Secretary, at his request, that I would not release the letter. But I think that the State Department should look up that letter and find out what the Secretary said because I think what he said then is as applicable today, March 28, 1996, as it was April 22, 1994. So I suggest that the State Department do a little backtracking.

It is important to remember that the 1982 communique was based on the premise that the future of Taiwan would be settled solely—this is important—by peaceful means and was signed at a time when decreased tensions between China and Taiwan meant that Taiwan's self-defensive needs were not increasing.

The Senate voted 97-0 last week to reaffirm the commitments made in the Taiwan Relations Act. One of the commitments is that the President, in consultation with the Congress, will review whether the capabilities and intentions of the People's Republic of China have increased the threat to Taiwan. If so, defensive arms sales to Taiwan, obviously, should be adjusted upward accordingly, if indeed that is the case.

Well, we have seen, in recent weeks, the heightened tensions. I do not have to go into the significance of what the M-9 missile message was. It was that China can indeed launch a missile from the mainland, and it can indeed go to Taiwan. Indeed it has a payload of about 1,200 pounds, and it drops its locomotion in entry, and, as a consequence, it is very difficult to pick up.

I am not sure that the technology is available to counter that missile threat.

As we look at some of the other missile threats to the United States, including to my State of Alaska and to Hawaii, we find we are in the range of some of those, which the rest of the United States is not in the range of. I do not think Hawaii and Alaska are expendable, although some of my colleagues may differ from time to time.

Since 1994, China has mounted a series of military exercises near Taiwan. In September and October 1994, the People's Liberation Army conducted combined air, land, and sea exercises on Chou Shan Island, about 60 miles south of Quemoy. At that time, Assistant Secretary of State Winston Lord described these exercises as "the most expansive * * * that China has conducted in 40 or 50 years." In June and July of last year, the PLA conducted more exercises, including firing four medium range M-9 missiles—the first time China had used missiles to threaten an opponent. Right before the Legislative Yuan elections in November, China conducted large-scale combined-arms, amphibious and airborne assault exercises designed to simulate an invasion of Taiwan.

Then, on the eve of the first direct democratic presidential election in Taiwan, China began a series of three more tests. First, China fired four more M-9 missiles into closures within 25 to 35 miles of the two principal northern and southern ports of Taiwan. China followed the missile tests with live ammunition war games in a 2,390-square-mile area in the southern Taiwan Strait, followed by another live ammunition exercise between the Taiwan islands of Matsu and Wuchu.

China may not yet have the capability to invade and conquer the Republic of China on Taiwan, but it does have the capability to do significant harm by mining ports, undertaking a limited blockade with its 5 nuclear-powered and 45 conventional-powered attack submarines, and conducting a terror campaign with missiles capable of carrying nuclear or chemical warheads. Taiwan lacks a reliable missile defense and has only two modern conventional submarines.

I do not consider myself an expert on defense matters, but it appears that Taiwan needs additional deterrence capability, especially with regard to missile defenses. I commend the Clinton administration for sending our carriers into the area of the Taiwan Strait recently to monitor China's war exercises. This exercise should put the Defense Department in a very good position to evaluate the threat to Taiwan from China in determining the level of future arms sales.

Mr. President, I only hope that the diplomats in the State Department do not ignore the military reality in making decisions about future arms sales to Taiwan because of a fear of China's reaction. But, unfortunately, that is

what I believe is the driving force behind the veto threat. The administration states that section 1601 "would be seen as a repudiation of a critical and stabilizing element of longstanding U.S. policy toward China, increasing risks at a time of heightened tensions."

Mr. President, the most critical element in U.S. policy toward China is the peaceful resolution of Taiwan's future. If China, by force, repudiates that element, then the basis of the United States' one-China policy is simply stripped away.

We should recognize that that provision in the Foreign Relations Authorization Act does not repudiate U.S. policy, it reaffirms it. I call on the administration to drop this veto threat and implement the law as required.

Mr. President, I am grateful to my good friend from Arkansas, who has accommodated me and my schedule. I thank the floor manager.

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

THE DEBT CEILING LEGISLATION

Mr. PRYOR. I thank the Chair. Mr. President, I am going to revert back to a measure that we just passed in the Senate, I think, less than an hour ago, which is the debt ceiling legislation.

On that legislation, the distinguished Senator from Arizona, Senator MCCAIN, had included an amendment he had long fought for, and I support that amendment very strongly, Mr. President. That was an amendment relative to the social security earnings test. It was on that particular amendment that I had told the leadership in times past that should that amendment come to the floor, I was going to attempt to amend that particular provision with a measure that would basically clear up, once and forever more, a mistake we made in the GATT Treaty legislation that we passed last year in the U.S. Senate.

In other words, Mr. President, I was going to use that as a vehicle to amend this provision, which allows one particular drug company—Glaxo, for example—to absolutely continue taking advantage of not only the taxpayer, but also the consumer, the aging American, taking this particular drug called Zantac, and prohibiting, precluding generic competition from coming into the marketplace.

Mr. President, on December 13, 1995, I received a letter from my friend and colleague, the distinguished chairman of the Judiciary Committee. In the letter it says, "Please be assured that I intend to honor my commitment. I will begin a hearing on pharmaceutical patent issues February 27, 1996, and I plan to hold a markup by the end of March."

Well, Mr. President, our friend and colleague, the distinguished chairman of the Judiciary Committee, Senator HATCH, did in fact hold a hearing on

February 27, 1996. However, the markup on this particular matter, the Glaxo issue, has not been scheduled. It has not been scheduled for any time in March. To the best of my knowledge, it has not been scheduled for April, May, and who knows—I just hope it will be scheduled someday.

But what is at issue is this fact: Every day we refuse in the Senate and in the House of Representatives, the other body, to correct this mistake that we made through this system, in not clearing up the issue of the patent extension for this particular drug company, and about six other drug companies, every day that we refuse, every day that we delay, Mr. President, we are fattening their pocketbooks to the extent of \$5 million a day. That is \$5 million each day that is being paid for by the consumer, the taxpayer, the Veterans Administration, the HMO's, right on down the line—any consumers that buy Zantac. We have been told that a generic that is ready to go into the marketplace immediately could absolutely walk into that marketplace today, begin competition with Zantac at one-half of the price of this prescription drug. But, Mr. President, we have refused to do it. We have had a vote in December, and we failed by two votes to get enough votes in this body to close this loophole and to state that we are no longer going to continue this very major windfall for one or two or three drug companies.

We made a mistake. We extended all patents from 17 to 20 years in GATT, and we said that a generic company could market their product on the 17-year expiration date, if they already made a substantial investment and were willing to pay a royalty.

We think that is a fair balance of interest. The other thing we did in GATT was that we said we are going to allow every human, every company, every product to have the same extension of their patent rights. However, we set out a perfectly illegitimate reason to give to a few drug companies a unique opportunity to not be included in the GATT legislation. So, therefore, we excluded a few pharmaceutical manufacturers, and we said to them that you are going to have an extra 3 years on your patent. You are not going to have any competition whatsoever in this particular drug marketing and in the sales of the particular drug.

During the February hearing held by Senator HATCH, the chairman of the Judiciary Committee, we had the evidence, we had the testimony of our U.S. Trade Ambassador, Ambassador Kantor, we had the Patent Office, and we had everyone representing this administration that we could think of say that this was never intended to be a part of the GATT Treaty. The negotiators never intended to carve out a special reason, or a special status, for a very few—if I might say, a handful—of drug manufacturers.

Mr. President, during that testimony that day in late February of 1996, during all of the discussions that we have