

VII. It is worth pointing to just one of these resolutions which states that the U.N. Security Council was:

Determined to ensure the security of UNPROFOR and its freedom of movement for all its missions (i.e. Macedonia) and to these ends was acting under chapter VII of the charter of the United Nations.

In spite of the record, the administration continues to insist that Macedonia is a chapter VI operation. When I asked them to document this determination, I was provided the following guidance by the Acting Assistant Secretary of State:

The U.N. Charter authority underlying the mandate of a U.N. peace operation depends on an interpretation of the relevant resolutions of the U.N. Security Council. As a matter of tradition, the Security Council explicitly refers to a "chapter VII" when it authorizes an enforcement operation under that chapter. The absence of a reference to chapter VII in a resolution authorizing or establishing a peacekeeping operation thus indicates that the operation is not considered by the Security Council to be an enforcement operation. Neither does the Security Council refer explicitly to "chapter VI" in its resolutions pertaining to peacekeeping operations. This practice evolved over time as a means for the Security Council to develop practical responses to problems without unnecessarily invoking the full panoply of provisions regarding the use of force under chapter VII, and without triggering other Charter provisions that might impede Member States on the Security Council if chapter VI were referenced.

In essence, what this explanation means is U.S. troops can be deployed in harm's way as a matter of U.N. tradition rather than U.S. law. It means U.S. soldiers are deployed in a combat zone with an absence of reference to the actual legal mandate because the U.N. Security Council does not want to refer explicitly to chapter VI due to a reluctance to inconvenience Member states on the Security Council.

Mr. President, let me try to add a little clarity to just what the Acting Assistant Secretary means when stating the administration does not want to invoke a panoply of provisions regarding the use of force. In simple English, when a chapter VII mission is authorized by the United Nations, U.S. law requires the operation to be approved by the Congress. In simple terms, the State Department is using a chapter VI designation to avoid having to come to the Congress to justify the financial and military burden the United States has assumed in Macedonia.

What the State Department calls a panoply of provisions problem, I call surrendering U.S. interests to U.N. command. This is not the first time Congress has been circumvented. I had hoped the administration had learned from our experience in Somalia. I had hoped the tragic loss of life would help the President understand the value and importance of a full congressional debate and approval of the merits of deploying American soldiers overseas into hostile conditions. Apparently, the lesson is lost on this administration. When the United Nations calls,

we send our young men and women to serve.

Mr. President, I have taken the time to review the circumstances of our military involvement in Macedonia, in order to explain my vote against Chris Hill, the President's nominee to be our Ambassador. While I have no objection to Mr. Hill personally, I intend to vote against his nomination as a matter of principle—to express my strong opposition to what I view as an unjustified U.N. mission with a questionable legal mandate that is risking the lives of American soldiers.

I understand that a majority of members expressed their desire to move forward with this and several other nominations, and that the majority leader would like to accommodate these requests. I very much appreciate his offering those of us who oppose the administration's continued blind pursuit of a misguided U.N. agenda the opportunity to express our opposition through this vote.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

MOLLIE BEATTIE WILDERNESS AREA ACT

Mr. NICKLES. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of S. 1899, and further that the Senate proceed to its immediate consideration.

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

The clerk will report.

The legislative clerk read as follows:

A bill (S. 1899) entitled the Mollie Beattie Wilderness Area Act.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 4434

(Purpose: To amend S. 1899)

Mr. NICKLES. Mr. President, I send an amendment to the desk on behalf of Mr. MURKOWSKI and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. NICKLES], for Mr. MURKOWSKI, for himself, Mr. JEFFORDS, and Mr. GRAHAM, proposes an amendment numbered 4434.

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

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

The amendment is as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

"Section 702(3) of Public Law 94-487 is amended by striking "Arctic National Wildlife Refuge Wilderness" and inserting "Mol-

lie Beattie Wilderness". The Secretary of the Interior is authorized to place a monument in honor of Mollie Beattie's contributions to fish, wildlife, and waterfowl conservation and management at a suitable location that he designates within the Mollie Beattie Wilderness."

Mr. JOHNSTON. Mr. President, like many of my colleagues, I rise to express my profound sadness concerning the death last night of Mollie Beattie. Until a few weeks ago, Mollie had served the Nation as the Director of the U.S. Fish and Wildlife Service. Ms. Beattie, who was the Service's first female Director, was a very warm and talented public servant. She had a gift for working with people and was interested in solving problems; two traits that are all too rare in these days of partisanship and confrontation. She was also a knowledgeable and hard working professional who put her considerable training and expertise to work every day in dealing with the many complex issues facing the Fish and Wildlife Service.

Ms. Beattie's dedication to her work went beyond the norm, as evidenced by her willingness to support new and exciting concepts for fish and wildlife protection. Just last year, she traveled to Louisiana for a ground-breaking ceremony on the research center for endangered species, the ACRES facility, which was dedicated earlier this month at the Audubon Institute in New Orleans. The facility is dedicated to using the latest reproductive technology to help stem the rising tide of extinction among the world's most threatened animals. Her support was essential to making this effort a reality.

Mollie was well liked by all who knew her, even those who did not always agree with her on policy matters or her efforts to promote the views of the Department of the Interior, because she reminded us that people in public service can disagree without being disagreeable. That is a good lesson for all of us to think about, Mr. President, as we remember Mollie and mourn her loss.

My thoughts and prayers, and those of my colleagues, are with Mollie's family and friends.

Mr. KEMPTHORNE. Mr. President, I am saddened to hear that Mollie Beattie died last night after a year-long battle against brain cancer. Mollie was the first female Director of the U.S. Fish and Wildlife Service and served in that position until earlier this month. I wish to offer my condolences to her husband Rick Schwolsky of Grafton, VT, and to her mother, Patricia Beattie and sister, Jane Beattie, both of Ketchum, ID.

I appreciated Mollie's honesty and candor with me and my staff, whether in public hearings before a committee or in a private meeting in my office. All of my experiences with Mollie were positive. While we didn't always approach a situation from the same perspective, we shared the common goal of doing what is right for species and people.

When Mollie testified on the role of recovery in the Endangered Species Act before my Drinking Water, Fisheries and Wildlife Subcommittee last year, we found that the goals we envisioned for endangered species were very much in harmony.

I agreed with her testimony that, "Recovery is the soul and the purpose of the Endangered Species Act." In fact, one of my principles of ESA reform is to return to the original intent of the act, which was to recover species. And on our watch, we have been making progress toward that purpose.

Director Beattie was active in negotiations with Senators CHAFEE, BAUCUS, REID and me on a number of bipartisan changes to the Endangered Species Act. Prominent among these improvements is a new, more rigorous recovery section. If made a part of the law, the new recovery planning process will actually recover species and make them once again a part of a healthy biologically diverse habitat.

I want to recognize the firmness and clarity of purpose that Mollie Beattie brought to the process of negotiating a reformed Endangered Species Act. Now it is up to the rest of us to get this reform passed and implemented. I can't think of a better tribute to her than to make real progress toward recovery of the species that she clearly cared about very much.

Mr. BAUCUS. Mr. President, it is with great sadness and regret that I rise today in support of S. 1899, a bill to name the Arctic National Wildlife Refuge Wilderness for Mollie Beattie, the former Director of the U.S. Fish and Wildlife Service. As most of you now know, Mollie passed away last night after a long battle with brain cancer.

She fought that battle gallantly with great courage and dignity, just as she had fought so hard for this Nation's fish and wildlife resources during her recent tenure as the first woman Director of the U.S. Fish and Wildlife Service. I extend my heartfelt condolences to her husband Rick Schwolsky, and the rest of her family.

Mr. President, the Nation owes Mollie a deep debt of gratitude. In a time of unprecedented challenge to some of this Nation's most important environmental laws, Mollie stepped forward to remind us that threatened and endangered species, and the national wildlife refuges on which many of those species depend, must be protected for future generations of Americans to treasure and enjoy. It is therefore fitting that one of the most magnificent wilderness areas in the United States, the Arctic National Wildlife Refuge Wilderness, be named for her.

I hope my colleagues, on both sides of the aisle, will join me and the sponsors of this bill in ensuring its quick passage for signature by President Clinton. It is a small tribute to a truly outstanding individual who has made an invaluable contribution during her lifetime to the benefit of the entire country.

Mr. REID. Mr. President, last night Mollie Beattie passed away after a hard battle with cancer throughout which she continued to show her dedication to the Fish and Wildlife Service and her public duty.

Those who serve in government are often maligned and denigrated in today's press. But Mollie's example will shine as one who committed her life and career to the public good. Her life was an example of courage and purpose. The U.S. Fish and Wildlife Service, Department of the Interior, and the Nation have lost a dedicated public servant.

When Mollie joined the Department of the Interior in 1993, she faced serious threats by those who wanted to turn the clock back on endangered species preservation. Mollie persevered and initiated necessary administrative reform of the Endangered Species Act. Her work on habitat and species stewardship is a foundation for future conservation efforts.

I am honored to have known her and recognize the service that she bestowed the Nation by her energy and focus.

Mr. LAUTENBERG. Mr. President, I rise to pay tribute to Mollie Beattie, who embodied the best of government service—diplomatic, creative, dedicated and thoughtful.

Mollie, who recently stepped down as Director of the Fish and Wildlife Service, passed away last night, after a courageous fight with brain cancer.

When Mollie joined the national political fray as Director about 3 years ago, no doubt she knew what she was in for. She knew she was jumping into a portfolio of among the most contentious national issues—administration and reauthorization of the Endangered Species Act, the Pacific Northwest forest issue, and wetlands and habitat protection, to name a few. She didn't back down. Instead, she charged ahead, viewing her role as a consensus builder, a communicator, an advocate, and a pioneer towards a new way of doing business.

She cared deeply about our Nation's fish, our wildlife, our open spaces, our forests, indeed, all our natural resources. Her depth of feeling and dedication gave her the strength to approach her role as Director with vitality and optimism, even in the face of increased budget cuts and intensified public scrutiny. And, as is rare in public service, she found more admirers and accorded more respect every day she was on the job.

She recognized the importance of our ecosystem and the species upon which it depends, including our own. She recognized the importance of jobs and the economy, upon which we depend as well. She sought to work within this structure and needs, with the optimism and faith that it could be done.

Mr. President, Mollie said it best when she testified to the Senate Environment and Public Works Committee almost 3 years ago, on July 28, 1993:

I would ask the Service to deliver this broad message about the conservation of fish

and wildlife: that the choice between people and animals is not a real one because nature binds us to a common fate. We must have jobs and development that maintain all species, including our own. The public must be given faith that this is possible given some new ways of thinking and doing business.

Perhaps the most telling indication of Mollie's extraordinary ability to bridge the gap is a survey of the laudatory comments that we are hearing today. The Defenders of Wildlife said, "Whatever success society ultimately achieves in the crucial fight to protect endangered species and conserve our precious but deteriorating biological diversity, it will be due in part to the conservation advances for which she was directly responsible and to the commitment to responsible stewardship she inspired in literally thousands of friends and admirers."

And, from the Chairman of the House Resources Committee, Congressman DON YOUNG: "She was able to bring all sides of an issue to the table in order to reach common sense agreements. Because of this she was respected by all of those who knew and worked with her."

These two comments embody Mollie's spirit and effectiveness as a leader.

Today the Senate will pass a bill, sponsored by Senators MURKOWSKI, STEVENS, LEAHY, and JEFFORDS, to designate 8 million acres of wilderness in the Arctic National Wildlife Refuge, the Mollie Beattie Alaska Wilderness Area. This bill is a fitting tribute to a respected professional and government servant.

Mr. President, Mollie Beattie—conservationist, academic, communicator, and leader—will be missed.

Mr. LIEBERMAN. Mr. President, I know all of my colleagues in the Senate are saddened to hear of the passing last night of Mollie Beattie who, until her very recent resignation for medical reasons, was Director of the U.S. Fish and Wildlife Service.

She has been a good friend, a devoted citizen and public servant, and a champion for God's creatures when others did not always have the courage and grace to step forward. It is my sincere hope that her vision of a brighter and more abundant future for our Nation's wildlife heritage will become a reality for us, and for the many generations of Americans that follow. I would like her family and her husband, Rick, to know that our thoughts and prayers are with him, and Mollie, always.

I am reminded of the quote by Admiral Rickover that: "the more you sweat in peace, the less you bleed in war." I think Mollie's professional life is a testament to this great truth. She toiled as a public servant not just in Federal Government, but in State government and academia, to ensure that democracy represented our deep concern for our wildlife heritage, and that we avoided senseless losses that might otherwise occur in the heat of conflict.

She worked to ensure that our scientific knowledge, education, and public awareness recognize the values and

complexities of our relationship with fish and wildlife, and with our broader natural heritage.

It is the real human sacrifice of people like Mollie, working day in and day out with honesty, integrity, intelligence, and sensitivity, that spares us the crisis of mismanagement and neglect that all too often has avoidable, irreversible consequences. Much of the peace and abundant life we enjoy as Americans is founded on such devotion.

On Monday of this week my good friend, Senator STEVENS, honored a last request of Mollie's by introducing a bill to name 8 million acres of the 19 million acre Arctic National Wildlife Refuge as the Mollie Beattie Wilderness Area. Senator STEVENS is to be commended for such a decent and honorable act, and I am pleased to offer my support.

I understand Mollie had a special connection with this part of the Brooks Range after visiting it a few years ago, and that she wished to have her ashes spread there. Of all the many special natural areas in this Nation Mollie visited, this pristine landscape on the North Slope of Alaska must have made the greatest impression on her.

It is no secret that other parts of this refuge have been the source of discord in the Senate. But I think it is entirely fitting that we might join hands to bless one special part of it in Mollie's name. By doing so, we can remember that this land was saved in peace and remembrance, and not in conflict.

Mollie will be missed, but not forgotten.

Mr. NICKLES. Mr. President, I ask unanimous consent that the amendment be considered agreed to, the bill be deemed read the third time, passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The amendment (No. 4434) was agreed to.

The bill (S. 1899), as amended, was deemed read the third time, and passed, as follows:

S. 1899

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 702(3) of Public Law 96-487 is amended by striking "Arctic National Wildlife Refuge Wilderness" and inserting "Mollie Beattie Wilderness". The Secretary of the Interior is authorized to place a monument in honor of Mollie Beattie's contributions to fish, wildlife, and waterfowl conservation and management at a suitable location that he designates within the Mollie Beattie Wilderness.

HOUSE OF REPRESENTATIVES ADMINISTRATIVE REFORM TECHNICAL CORRECTIONS ACT

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of Calendar order No. 441, H.R. 2739.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2739) to provide for a representational allowance for Members of the House of Representatives to make technical and conforming changes and sundry provisions of law in consequence of administrative reforms in the House of Representatives, and for other purposes.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. NICKLES. Mr. President, I ask unanimous consent that the committee amendments be agreed to, the bill be deemed read the third time, passed, and the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The committee amendments were agreed to.

The bill (H.R. 2739), as amended, was deemed read the third time, and passed.

ORDER FOR STAR PRINT

Mr. NICKLES. Mr. President, I ask unanimous consent that the report 104-80 to accompany S. 141 be star printed with the changes that I understand are at the desk.

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

PEOPLE'S REPUBLIC OF CHINA TO ALLOW AN ELECTED LEGISLATURE

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Order No. 463, Senate Resolution 271.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 271) expressing the sense of the Senate with respect to the international obligation of the People's Republic of China to allow an elected legislature in Hong Kong after June 30, 1996.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. NICKLES. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

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

The resolution (S. Res. 271) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 271

Whereas under the Sino-British Joint Declaration on the Question of Hong Kong of

1984, the People's Republic of China will assume sovereignty over Hong Kong on July 1, 1997.

Whereas both the People's Republic of China and Great Britain committed themselves to the Joint Declaration's explicit provisions for Hong Kong's future;

Whereas the Joint Declaration is a binding international agreement registered at the United Nations that guarantees Hong Kong a "high degree of autonomy" except in defense and foreign affairs, an elected legislature, an executive accountable to the elected legislature, and an independent judiciary with final power of adjudication over Hong Kong law;

Whereas the United States-Hong Kong Policy Act of 1992 expresses the support of the United States Congress for full implementation of the Joint Declaration and declared that—

(1) the United States has a "strong interest in the continued vitality, prosperity, and stability of Hong Kong";

(2) "the human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong";

(3) "a fully successful transition in the exercise of sovereignty over Hong Kong must safeguard human rights in and of themselves"; and

(4) "human rights also serve as a basis for Hong Kong's continued economic prosperity";

Whereas on September 17, 1995, the Legislative Council was elected for a 4-year term expiring in 1999;

Whereas the election of Hong Kong's legislature is the cornerstone of the principle that the people of Hong Kong shall enjoy "one country, two systems" after the Government of the People's Republic of China assumes sovereignty over Hong Kong; and

Whereas the Government of the People's Republic of China and its appointed Preparatory Committee have announced their intention to abolish the elected Legislative Council and appoint a provisional legislature: Now, therefore, be it

Resolved, That (a) the Senate finds that—

(1) respect for Hong Kong's autonomy and preservation of its institutions will contribute to the stability and economic prosperity of the region; and

(2) the United States has an interest in compliance with treaty obligations.

(b) It is the sense of the Senate that—

(1) the People's Republic of China and the United Kingdom should uphold their international obligations specified in the Joint Declaration, including the commitment to an elected legislature in Hong Kong after June 30, 1997;

(2) the establishment of an appointed legislature would be a violation of the Joint Declaration, and the People's Republic of China should allow the Legislative Council elected in September 1995 to serve its full elected term; and

(3) the President and the Secretary of State should communicate to the People's Republic of China and to the Hong Kong government and Legislative Council the full support of the United States Government and the people of the United States for Hong Kong's autonomy and the interest of the United States in full compliance by both the People's Republic of China and Great Britain with the Joint Declaration as a matter of international law.

SEC. 2. As used in this resolution, the term "Joint Declaration" means the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing on December 19, 1984.

SEC. 3. The Secretary of State shall transmit a copy of this resolution to the President and the Secretary of State.