

Today, we are making steady progress on these very sensitive issues which need to be resolved between the Okinawa Prefecture and the Government of Japan.

It is no exaggeration to say that Okinawa's people view their homeland as occupied territory. They see the overwhelming presence of United States military forces there as confirmation and they remain the poorest prefecture in Japan.

Some 50 years after the end of World War II in the Pacific, Okinawa is the only unresolved residual issue of any significance between Japan and the United States. The people of Okinawa are the least culpable of all those thrust into World War II. For centuries past, they have been known in the region for promoting peace. They are friendly to the interests and people of the United States. Yet they bear the most burden generations later.

They have given up a great deal in terms of economic prosperity and deserve to be recognized for their contributions toward ensuring the treaty's implementation and regional peace and security.

Mr. BEREUTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska [Mr. BEREUTER] that the House suspend the rules and agree to the resolution (H.Res. 68), as amended.

The question was taken.

Ms. SANCHEZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution just considered and also on House Concurrent Resolution 16.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

HONG KONG REVERSION ACT

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 750) to support the autonomous governance of Hong Kong after its reversion to the People's Republic of China, as amended.

The Clerk read as follows:

H.R. 750

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hong Kong Reversion Act".

SEC. 2. STATEMENT OF PURPOSE.

The purpose of this Act is to support the autonomous governance of Hong Kong and the future well-being of the Hong Kong people by ensuring the continuity of United States laws with respect to Hong Kong after

its reversion to the People's Republic of China on July 1, 1997, and to outline circumstances under which the President of the United States could modify the application of United States laws with respect to Hong Kong if the People's Republic of China fails to honor its commitment to give the Special Administrative Region of Hong Kong a high degree of autonomy.

SEC. 3. FINDINGS.

The Congress makes the following findings:

(1) 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, is a binding international agreement which sets forth the commitments made by both governments on the reversion of Hong Kong to the People's Republic of China on July 1, 1997.

(2) The People's Republic of China in the Joint Declaration pledges, among other things, that "the Hong Kong Special Administrative Region will enjoy a high degree of autonomy, except in foreign and defence affairs. . . ." that basic human rights and freedoms "will be ensured by law. . . ." and that "[t]he legislature of the Hong Kong Special Administrative Region shall be constituted by elections."

(3) Senior government officials of the People's Republic of China have repeatedly assured a smooth transfer of Hong Kong to Chinese sovereignty, a successful implementation of the "one country, two systems" policy, long-term prosperity for Hong Kong, and continued respect for the basic rights of the Hong Kong people.

(4) Despite general assertions guaranteeing the autonomous governance of Hong Kong, several official acts and statements by senior officials of the Government of the People's Republic of China reflect an attempt to infringe upon the current and future levels of autonomy in Hong Kong. These acts or statements include, but are not limited to—

(A) initial proposals, which were later withdrawn, by officials of the Government of the People's Republic of China to obtain confidential files on civil servants of the Hong Kong Government or require such civil servants to take "loyalty oaths";

(B) the decision of the Government of the People's Republic of China to dissolve the democratically elected Legislative Council on July 1, 1997, and the appointment of a provisional legislature in December of 1996;

(C) the delineation by officials concerning the types of speech and association which will be permitted by the Government of the People's Republic of China after the reversion;

(D) initial warnings, which were later withdrawn, to religious institutions not to hold certain gatherings after the reversion; and

(E) the decision on February 23, 1997, of the Standing Committee of the National People's Congress of the People's Republic of China to repeal or amend certain Hong Kong ordinances, including the Bill of Rights Ordinance, the Societies Ordinance of 1992 (relating to freedom of association), and the Public Order Ordinance of 1995 (relating to freedom of assembly).

(5) The reversion of Hong Kong to the People's Republic of China has important implications for both United States national interests and the interests of the Hong Kong people. The United States Government has a responsibility to ensure that United States interests are protected during and after this transition, and it has a profound interest in ensuring that basic and fundamental human rights of the Hong Kong people are also protected.

(6) The United States-Hong Kong Policy Act of 1992 sets forth United States policy concerning Hong Kong's reversion to the People's Republic of China on July 1, 1997, and Hong Kong's special status as a Special Administrative Region of that country. It ensures the continuity of United States laws regarding Hong Kong while establishing a mechanism in section 202 of that Act whereby the President can modify the application of United States laws with respect to Hong Kong if the President "determines that Hong Kong is not sufficiently autonomous to justify treatment under a particular law of the United States, or any provision thereof, different from that accorded the People's Republic of China".

(7) One of the principal purposes of the Congress in enacting the United States Hong Kong Policy Act of 1992 was to maintain Hong Kong's autonomy by ensuring that the United States will continue to treat Hong Kong as a distinct legal entity, separate and apart from the People's Republic of China, for all purposes, in those areas in which the People's Republic of China has agreed that Hong Kong will continue to enjoy a high degree of autonomy, unless the President makes a determination under section 202 of that Act.

(8) Although the United States Government can have an impact on ensuring the future autonomy of the Hong Kong Government and in protecting the well-being of the Hong Kong people, ultimately the future of Hong Kong will be determined by the willingness of the Government of the People's Republic of China to maintain the freedoms now enjoyed by the people of Hong Kong and to rely on the people of Hong Kong to govern themselves.

SEC. 4. CONGRESSIONAL DECLARATIONS.

The Congress makes the following declarations:

(1) Recognizing that the United States Government and the Hong Kong Government have long enjoyed a close and beneficial working relationship, for example between the United States Customs Service, the Federal Bureau of Investigation, the Drug Enforcement Administration, the Immigration and Naturalization Service, the Secret Service, and their corresponding agencies of the Hong Kong Government, the United States urges the two governments to continue their effective cooperation.

(2) Recognizing that the preservation of Hong Kong's autonomous customs territory has important security and commercial implications for the United States and the people of Hong Kong, the United States calls upon the People's Republic of China to fully respect the autonomy of the Hong Kong customs territory.

(3) Recognizing that Hong Kong has historically been an important port of call for United States naval vessels, the United States urges the Government of the People's Republic of China to consider in a timely and routine manner United States requests for port calls at Hong Kong.

(4) Recognizing that Hong Kong enjoys a robust and professional free press with important guarantees on the freedom of information, the United States declares that a free press and access to information are fundamentally important to the economic and commercial success of Hong Kong and calls upon the Government of the People's Republic of China to fully respect these essential rights of the Hong Kong people.

(5) Recognizing that the first fully democratic elections of a legislature in Hong Kong took place in 1995, following nearly 150 years of colonial rule, the United States recognizes that the Joint Declaration of 1984 requires that the Special Administrative Region legislature "shall be constituted by

elections", declares that the failure to have an elected legislature would be a violation of the Joint Declaration of 1984, and calls upon the Government of the People's Republic of China to honor its treaty obligations.

(6) Recognizing that the United Kingdom belatedly reformed Hong Kong laws with respect to the civil rights of the Hong Kong people, the Hong Kong people have nevertheless long enjoyed essential rights and freedoms as enumerated in the Universal Declaration of Human Rights; therefore, the United States declares that the decision of the National People's Congress to repeal or amend certain ordinances is a serious threat to the Hong Kong people's continued enjoyment of their freedom of association, speech, and other essential human rights, unless those rights are reestablished no later than July 1, 1997, and calls upon the National People's Congress to reconsider its decision.

(7) Recognizing that under the terms of the Joint Declaration of 1984 the provisions of the International Covenant on Civil and Political Rights will continue to apply in Hong Kong, the United States welcomes the public statement by the Chief Executive-designate of Hong Kong that the legislation which will replace repealed or amended sections of the Societies Ordinance and Public Order Ordinance will be the subject of public consultation, and urges that the new legislation should reflect both the clearly expressed wishes of the people of Hong Kong and the provisions of the International Covenant on Civil and Political Rights.

(8) Recognizing that Hong Kong currently maintains an efficient capitalist economy and trade system by strictly adhering to the rule of law, by honoring the sanctity of contract, and by operating without corruption and with minimum and transparent regulation, the United States calls upon the Government of the People's Republic of China to fully respect the autonomy and independence of the chief executive, the civil service, the judiciary, the police of Hong Kong, and the Independent Commission Against Corruption.

SEC. 5. PRESIDENTIAL DETERMINATION UNDER SECTION 202 OF THE UNITED STATES-HONG KONG POLICY ACT OF 1992 AND ADDITIONAL REPORTING REQUIREMENTS.

(a) IN GENERAL.—In determining whether "Hong Kong is not sufficiently autonomous to justify treatment under a particular law of the United States, or any provision thereof, different from that accorded the People's Republic of China," as required by section 202(a) of the United States-Hong Kong Policy Act of 1992, the President of the United States, based upon the assessments made pursuant to subsection (b) of this section, as well as other information included in the reports submitted under section 301 of the United States-Hong Kong Policy Act of 1992, shall consider the performance of the Hong Kong Government and the actions of the Government of the People's Republic of China.

(b) REQUIREMENTS FOR REPORTS TO CONGRESS.—The Secretary of State shall include, in each report required by section 301 of the United States-Hong Kong Policy Act of 1992, the following:

(1) SUCCESSFUL AND TIMELY CONCLUSION OF AGREEMENTS AND TREATIES.—An assessment by the Secretary of State of whether the Hong Kong Government or the People's Republic of China, or both, as the case may be, have cooperated with the United States Government in securing the following agreements or treaties:

(A) A bilateral investment treaty.

(B) An extradition treaty.

(C) An agreement on consular access in Hong Kong for United States citizens com-

parable to that provided for in the consular convention between the United States and the People's Republic of China.

(D) An agreement to preserve the United States consulate, with privileges and immunities for United States personnel.

(E) A mutual legal assistance agreement.

(F) A prison transfer agreement.

(G) A civil aviation agreement.

(2) CONTINUED COOPERATION FROM THE AGENCIES OF THE HONG KONG GOVERNMENT.—An assessment by the Secretary of State of whether agencies of the Hong Kong Government continue to cooperate with United States Government agencies. The Secretary of State shall cite in the report any evidence of diminished cooperation in the areas of customs enforcement, drug interdiction, and prosecution and prevention of money laundering, counterfeiting, credit card fraud, and organized crime.

(3) PRESERVATION OF GOOD GOVERNANCE AND RULE OF LAW IN HONG KONG.—An assessment by the Secretary of State of whether the Hong Kong Government remains autonomous and relatively free of corruption and whether the rule of law is respected in Hong Kong. The Secretary of State shall cite in the report any—

(A) efforts to annul or curtail the application of the Bill of Rights of Hong Kong;

(B) efforts to prosecute for violations of, or broaden the application of, laws against treason, secession, sedition, and subversion;

(C) acts or threats against nonviolent civil disobedience;

(D) interference in the autonomy of the chief executive, the civil service, the judiciary, or the police;

(E) increased corruption in the Hong Kong Government; and

(F) efforts to suppress freedom of the press or restrict the free flow of information.

(4) PRESERVATION OF THE AUTONOMY OF THE CUSTOMS TERRITORY OF HONG KONG.—An assessment by the Secretary of State of whether the customs territory of Hong Kong is administered in an autonomous manner. The Secretary of State shall cite in the report any—

(A) failure to respect United States textile laws and quotas;

(B) failure to enforce United States export control laws or export license requirements;

(C) unauthorized diversions from Hong Kong of high technology exports from the United States to Hong Kong;

(D) unprecedented diversion of Chinese exports through Hong Kong in order to attain preferential treatment in United States markets; and

(E) misuse of the customs territory of Hong Kong to implement the foreign policy or trade goals of the Government of the People's Republic of China.

SEC. 6. EXTENSION OF CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES TO HONG KONG ECONOMIC AND TRADE OFFICES.

(a) APPLICATION OF INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT.—The provisions of the International Organizations Immunities Act (22 U.S.C. 288 et seq.) may be extended to the Hong Kong Economic and Trade Offices in the same manner, to the same extent, and subject to the same conditions as such provisions may be extended to a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation.

(b) APPLICATION OF INTERNATIONAL AGREEMENT ON CERTAIN STATE AND LOCAL TAXATION.—The President is authorized to apply the provisions of Article I of the Agreement on State and Local Taxation of Foreign Employees of Public International Organiza-

tions, done at Washington, D.C. on April 21, 1994, to the Hong Kong Economic and Trade Offices.

(c) DEFINITION.—The term "Hong Kong Economic and Trade Offices" refers to Hong Kong's official economic and trade missions in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska [Mr. BEREUTER] and the gentleman from Alabama [Mr. HILLIARD] each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska [Mr. BEREUTER].

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

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

Mr. Speaker, the purpose of this legislation, H.R. 750, is to support the autonomous governance of Hong Kong and the future well-being of the Hong Kong people. This bipartisan legislation was introduced by this Member on February 13, 1997, and unanimously approved last week by the House Committee on International Relations. It has been approved for consideration under the suspension calendar of course. That is why it is here today.

This bipartisan bill has a long list of cosponsors, including as original cosponsor the distinguished gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations, with a long and distinguished record as a leader in promoting democracy and human rights. His contributions and amendment have greatly strengthened this legislation. In addition, both the distinguished gentleman from Indiana [Mr. HAMILTON], the ranking Democrat on the House Committee on International Relations, and the distinguished gentleman from California [Mr. BERMAN], the ranking Democrat on the Subcommittee on Asia and the Pacific, are also original cosponsors. Other original cosponsors include the distinguished gentleman from New York [Mr. SOLOMON], the distinguished gentleman from Nebraska [Mr. BARRETT], the distinguished gentleman from California [Mr. DREIER], the distinguished gentleman from American Samoa [Mr. FALEOMAVAEGA], the distinguished gentleman from Arizona [Mr. SALMON], the distinguished gentleman from California [Mr. COX], and the distinguished gentleman from Arizona [Mr. KOLBE]. Other distinguished Members have added their names subsequently, including two gentleman we will hear from, the gentleman from California [Mr. CAMPBELL] and the gentleman from Illinois [Mr. PORTER].

Mr. Speaker, it is important that we consider and approve this legislation quickly because in less than 5 months the British rule ends and Hong Kong will become a special administrative region of China. Nobody knows exactly what will happen in Hong Kong on that night or the days, months and years thereafter.

This reversion is unprecedented in its complexity. Hong Kong, one of the

world's most efficient economies, will become part of an emerging giant that has yet to integrate itself fully into the world economy and which has only begun to experiment with democracy at the village level.

The United Kingdom and the People's Republic of China have largely agreed on the basic rules for Hong Kong's reversion in the Sino-British Joint Declaration of 1984. For its part China has agreed to grant Hong Kong more autonomy, more autonomy than international law requires. In Hong Kong's constitution, the Basic Law of 1989, the National People's Congress unveiled a "one country two systems" arrangement for 50 years. During that time Hong Kong is supposed to enjoy a high degree of autonomy except in the areas of foreign affairs and defense.

It is rumored that more than 7,000 journalists from around the world will be on hand at midnight on June 30, 1997, to witness the official handover. In large part the attention focused on Hong Kong by the international press has been fueled by misguided efforts by the Chinese Government to disband the current legislative council and replace it with a provisional legislature, to alter civil rights protections in Hong Kong, and to improperly influence the extremely efficient civil service there. Clearly, these actions must not go unnoticed by the international community and by the United States Government.

Therefore, today we are considering the Hong Kong Reversion Act, H.R. 750, to object to these troubling proposals and developments and to express and act to protect the United States' national interests in Hong Kong. Most importantly, this legislation is absolutely clear in demanding that the People's Republic of China fully respect the autonomy that it has promised Hong Kong in the Joint Declaration of 1984.

Despite the overwhelming attention to the important issues of the legislative council and civil rights of Hong Kong, American foreign policy makers must also be concerned about more mundane traditional and transition issues which affect fundamental United States interests. For example, negotiations are currently underway between the United States and Hong Kong and the United States and China over a myriad of technical issues, including an extradition treaty, a bilateral investment treaty, consular functions and many more very important issues. Moreover, we must be very careful to assure that Hong Kong continues to honor U.S. export control laws and regulations after the transition.

The Hong Kong Reversion Act will aid the Congress in examining all the important issues in this complex transition by building on the Hong Kong Policy Act of 1992. It requires assessments and reports by the Secretary of State in very specific areas so the President can knowledgeably determine under his existing authority

whether to maintain current U.S. relations with Hong Kong.

In light of these facts and the importance of this legislation, this Member urges his colleagues to vote for the Hong Kong Reversion Act, H.R. 750.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of this bill, and I want to commend the gentleman from Nebraska [Mr. BEREUTER] for his leadership in bringing the bill before this body.

It is no secret that many Members are concerned about what lies in store for Hong Kong after China regains sovereignty on June 30 of this year. This legislation is intended to alert the PRC to these concerns and to put the leaders in Beijing on notice that the Members of Congress care deeply about the well-being of the people of Hong Kong.

This is not meant as a threat but a statement of political reality. If Americans come to believe that China is subverting the freedom Hong Kong people currently enjoy, then it will be more difficult in maintaining the public and congressional support for recent and decent relations with China.

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If, on the other hand, the transition in Hong Kong goes smoothly and the people of Hong Kong are permitted to retain their current freedoms, then I am confident that the public and the Members of Congress will continue to support a policy of engagement with China.

This bill is our way of saying to China, if you value your relationship with the United States, then respect the rights and liberties of the Hong Kong people. This bill also makes some useful changes regarding the report on Hong Kong the Secretary of State periodically submits to Congress and the legal arrangement that will govern Hong Kong diplomatic representatives in the United States after June 30.

The administration supports this bill. Indeed, the State Department specifically asked for the authority granted in section 6 regarding privileges and immunities. I support this bill, and I ask my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. BEREUTER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I rise today in strong support of H.R. 750, the Hong Kong Reversion Act. As the House sponsor of the Hong Kong Policy Act of 1992, I would like to commend my colleague, the gentleman from Nebraska [Mr. BEREUTER], for taking the lead in the final preparations for the United States Government to legally accommodate the reversion of Hong Kong to Chinese sovereignty.

This legislation is very important to the continuation of the goals of the Hong Kong Policy Act, ensuring that

Hong Kong retains its special treatment as a place unique and separate from the mainland in many ways, and that the laws of the United States reflect our desire to maintain a distinct relationship with Hong Kong. Therefore, it has my very strong support.

The return of Hong Kong, the world's freest economy, to the jurisdiction of the People's Republic of China and the events leading up to it will have a major impact on United States-China relations. Whether this impact will be positive or negative remains to be seen. What is clear is that the United States is well positioned to play a role in securing a favorable outcome.

Members of the business community, both here and in Hong Kong, have, by and large, remained optimistic that they will be able to continue to operate in Hong Kong as they have in the past. This optimism stems from the fact that the island's free market and legal institutions foster economic growth and opportunity, and the maintaining of this atmosphere is in China's best interest.

Given the dramatic opening of the mainland economy in recent years and the benefits that have followed, I believe that the business community is correct in thinking that China values the economic freedom of Hong Kong and will try to preserve it.

Unfortunately, I am afraid that the Chinese Government does not fully appreciate that preserving Hong Kong's market economy requires that they also preserve personal liberty and the rule of law. It is clear that the fate of United States interests in Hong Kong is inexorably linked to the democrats, to the journalists, to the Chinese dissidents, to the religious minorities and others whose rights will be threatened if Hong Kong is governed with the same heavy hand as the mainland.

The United States must pursue a policy which respects the primacy of the joint declaration as the document which governs the transition, a policy which recognizes the peculiar tensions of our own relationship with the awakening power of China, and the policy which clearly enunciates the values of democracy, individual liberties, marketplace opportunity, and the rule of law, and makes clear our intention to standup for these values in Hong Kong.

This is a difficult task but not an impossible one. It is a task we must accomplish if we are to preserve Hong Kong and the remarkable, vibrant, exciting, and free place that it is today.

Mr. Speaker, the Hong Kong Reversion Act is a vital part of this balancing act and will codify our concerns about the transition. By giving the Hong Kong economic and trade office diplomatic privileges and immunities separate from the People's Republic of China, we reinforce the unique relationship we have with Hong Kong and our expectation that we will work directly with the Hong Kong government on matters of mutual concern. This is one of the most important elements of this legislation.

Further, this bill expresses our strong support for the autonomy and independence of Hong Kong in the management of its own affairs. By continuing to work directly with Hong Kong's law enforcement agencies, maintain separate treaty obligations with Hong Kong and declare our strong support for Hong Kong's institutions, the Congress will be a forceful voice for a true, one-country, two-systems approach to Hong Kong.

Finally, we must take every opportunity to send the strongest possible message to Beijing that the future of Hong Kong is important to the United States, not just for economic reasons, but for moral ones as well. A free, stable, prosperous Hong Kong serves as a positive example in a region where none of these qualities is the norm.

I hope and believe that Hong Kong can be a window on the future of Asia, especially China. We should all work to ensure that Hong Kong changes China more than China changes Hong Kong as a result of this historic process. This bill is part of that work, and I wholeheartedly commend it to my colleagues in the House.

Mr. HILLIARD. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. LEVIN].

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

Mr. LEVIN. Mr. Speaker, I appreciate the gentleman yielding me this time.

I rise in support of the Hong Kong Reversion Act, which affirms United States support for the autonomy of Hong Kong. When 21 other House Members and I visited Hong Kong and China in January, we saw firsthand the need for this legislation. Chinese Government representatives assured us that they would pursue the one China, two systems policy. The question was then and is now whether this means two political as well as two economic systems, whether political freedom will be preserved in Hong Kong alongside economic freedom.

We are concerned about this because of the intrinsic value of political freedom itself, because political freedom enhances economic freedom, and because, as shown by nations like Singapore, economic freedom does not necessarily lead to political freedom.

That is why we told C.H. Tung, China's supported chief executive for Hong Kong, that we were concerned about Beijing's decision to dissolve the democratically elected legislative counsel of Hong Kong. I asked Mr. Tung directly, "Do you personally assure us that within a year after July 1 there will be a democratically elected legislative body in Hong Kong?" He said "yes." We should insist that Mr. Tung abide by this promise to restore democracy next year.

Unfortunately, events since we left Hong Kong have pointed in a different direction, restriction of the rights to speech, assembly, and association. This bill makes clear the resolute expecta-

tion of the House that two systems within one China should mean political as well as economic freedom for Hong Kong. For in the end, the future of human rights in Hong Kong will impact the future of human rights in mainland China and indeed the future of human rights throughout the world.

Mr. BEREUTER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. CAMPBELL], a member of the committee.

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

Mr. CAMPBELL. Mr. Speaker, I thank the gentleman for yielding me this time and also for his generosity in accepting the amendments that I offered in this process. I rise to make a matter of legislative history what those amendments were and why I offered them, why I believe our colleagues on the Committee on International Relations accepted them, and why I hope today our colleagues on the floor of the House of Representatives will vote in favor of them.

The first deals with section 5, clause b(4)(d), and in it we deal with the provisions that the Secretary of State is to include in her report regarding the compliance of the new autonomous region, with our expectations, and I think the world's expectations, on economic behavior. A different part of the bill deals with our expectations on political behavior.

The committee added, at my suggestion, the following, "That included in that would be unprecedented diversion of Chinese exports through Hong Kong in order to attain preferential treatment in United States markets." The reason why I thought that was an important index of behavior was just this, that China not be encouraged to use Hong Kong as the means for having access to duty-free and preferential treatment throughout the world without changing a bit the economy of the other provinces of China, that Hong Kong is in a special tariff area and it be preserved in that area, but it not be isolated with the price then that the rest of China could continue in a less than free market economy, but that, rather, having seen the benefits available, particularly in the acceptance in the world economy for the special tariff region of Hong Kong, that the rest of China would be encouraged to do the same, and thereby also obtain access to the World Trade Organization opportunities when those are available, as they are presently available to Hong Kong, and other opportunities available under American law.

So I am looking to see that China does not simply send its exports more and more through Hong Kong, which would not have the beneficial effect on the rest of the country, but rather the Hong Kong example would be emulated in the rest of China.

Mr. Speaker, the other change the committee made at my suggestion is in

section 4, clause 6. In this we deal with a statement of what we are hoping for with the new government. My colleague from Michigan referred to a meeting with C.H. Tung, the likely new governor, and in that I also had the privilege of meeting with him in August. I thought I would put on the record that the Chinese sentiment is real, that the British time in Hong Kong and the British particular dictating of terms in Hong Kong was contrary to Chinese sovereignty during the entire time of the occupation, that the taking of Hong Kong in the opium war was not a high point, let us say, in human rights practiced by the United Kingdom, and that whatever one might think about the validity of the rules that the British offered during the last period of their occupation of Hong Kong during the time, especially since the agreement for the reversion of Hong Kong, that it was China's right to set these rules; it was not by leave of Britain, it was China's right.

So I asked the change to be made, that we look to the reestablishment of all of those rights which have now been taken away, particularly the rights for assembly and for political activity, that were granted during this period of time under the governorship of Chris Patten, but had not been granted theretofore, that we look to see these restored, but we see them restored when China retakes sovereignty over Hong Kong. And so a simple change to refer to is that anticipation that this occur no later than July 1, to give that at least symbolic and very important, not simply symbolic day for China, to say that now that we are sovereign again, we choose to establish guarantees of political freedom and assembly, as the sovereign and in our own right, and not simply because Britain had done so during its period of rule.

Those are the legislative historical reasons for these two amendments. I thank my colleague for giving me the opportunity to explain them.

Mr. BEREUTER. Mr. Speaker, I reserve the balance of my time.

Mr. HILLIARD. Mr. Speaker, I yield 2 minutes to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend for yielding me this time.

I am honored to be an original cosponsor of H.R. 750, which expresses United States support for the autonomy of Hong Kong and establishes requirements to determine whether the People's Republic of China is honoring commitments under the Joint Declaration of 1984 to retain Hong Kong's autonomy.

I would be remiss if I did not express my appreciation to my good friend from Nebraska [Mr. BEREUTER] for introducing this legislation, and I certainly would like to commend both the chairman of our committee, the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON], the ranking Democratic

member of the full committee for their sponsorship and support of this important measure.

Mr. Speaker, this legislation has bipartisan support. The transfer of Hong Kong from British to Chinese sovereignty on July 1 will indeed be a historic event. In ending Britain's colonial rule of Hong Kong, I am hopeful that China will abide by its commitment under the Joint Declaration to extend a high degree of autonomy to Hong Kong under the one-country, two-system policy.

Although the recent actions taken by China regarding Hong Kong are troubling, as raised by some of my colleagues, I would hope that we would allow China some breathing space, Mr. Speaker, as the transition occurs.

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On that note, I would like to associate myself with the comments made earlier by the gentleman from California [Mr. CAMPBELL] regarding the fact that Hong Kong was literally a British colony. Now, all of a sudden we are talking about protection of democratic principles, personal freedoms, and more autonomy for the residents of this British colony, when years before they never had the privilege.

Mr. Speaker, what happens in Hong Kong will have serious implications on Taiwan. What happens with Taiwan's future will determine the stability of the entire Asian-Pacific region.

If China does not comply with its obligations for Hong Kong's autonomy, under the Joint Declaration, H.R. 750, will give our Government a mechanism for determining whether the current United States laws and policies toward Hong Kong should be maintained.

Again, I thank my good friend, the gentleman from Nebraska, for his introduction of this important measure. I ask my colleagues to support the legislation.

Mr. BEREUTER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations.

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

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

Mr. Speaker, I am pleased to commend the gentleman from Nebraska, the chairman of our Subcommittee on Asia and the Pacific of the Committee on International Relations, and the ranking minority member, the gentleman from California [Mr. BERMAN] for crafting this measure, a resolution to support the autonomous governance of Hong Kong after its reversion to the People's Republic of China.

Hong Kong's autonomy is clearly under attack. The Government of the People's Republic of China has decided to dissolve Hong Kong's democratically elected legislative council on July 1 of this year and appoint a provisional legislature.

Early in February of this year, the preparatory committee appointed by the People's Republic of China recommended the repeal and the amendment of Hong Kong ordinances, including the bill of rights, the societies ordinance relating to freedom of association, and the public order ordinance relating to freedom of assembly.

These two actions and the many threats by Communist officials regarding the types of speech and association, in addition to warnings to religious institutions, are ominous indicators of what the courageous people of Hong Kong are facing as their territory reverts back to Communist China.

It is without a doubt that Hong Kong's autonomy is lost without an elected legislature, and with the repeal of the bill of rights and other ordinances that protect its citizenry against Beijing's intrusion into their freedom.

H.R. 750 directs the Secretary of State to study these matters and take action in order to protect our Nation's relationship with Hong Kong. Accordingly, I urge my colleagues to fully support this measure.

Mr. Speaker, I would like also to note my appreciation for the cooperation of the gentleman from Texas [Mr. ARCHER], the chairman of the Committee on Ways and Means, in connection with our proceedings here today. Chairman ARCHER agreed to waive jurisdiction of this bill in his committee in order to allow us to proceed with its expeditious consideration on the floor.

Mr. Speaker, I include for the RECORD correspondence between Chairman ARCHER and myself related to this matter.

The material referred to is as follows:

COMMITTEE ON INTERNATIONAL
RELATIONS,

Washington, DC, March 10, 1997.

Hon. BILL ARCHER,

Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing about H.R. 750, which was recently introduced by Representative Doug Bereuter and referred solely to this Committee. On March 6, 1997, our Committee marked up this bill and agreed to a resolution asking that I seek its consideration on the suspension calendar. The leadership has scheduled its consideration for tomorrow.

I am advised that the Committee on Ways and Means has jurisdictional interest in this bill, in part because, in section 5, the bill adds criteria to be considered by the President in making determinations under section 22 of the U.S.-Hong Kong Policy Act of 1992.

As you know, this bill has widespread support and the provisions that may involve Ways and Means jurisdiction are minor ones, on which our staffs have previously been in touch and about which no substantive problems were raised. Accordingly, I would appreciate your agreeing to the bill's consideration on the suspension calendar notwithstanding the fact that it was not referred to the Ways and Means Committee.

With best wishes,

Sincerely,

BENJAMIN A. GILMAN,
Chairman.

COMMITTEE ON WAYS AND MEANS,

Washington, DC, March 10, 1997.

Hon. BENJAMIN GILMAN,
Chairman, Committee on International Relations,
Rayburn House Office Building,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing with regard to H.R. 750, the Hong Kong Reversion Act, which was approved by the Committee on International Relations on March 6, 1997 and is scheduled for consideration in the House on March 11, 1997.

In addition to addressing general economic and trade relations between the United States and Hong Kong after its reversion to the People's Republic of China on July 1, 1997, the bill contains several specific provisions that could affect the future treatment of Hong Kong under various U.S. trade laws which fall within the jurisdiction of the Committee on Ways and Means.

Section 5 of H.R. 750 requires the President, when determining, under Section 202(a) of the United States-Hong Kong Policy Act of 1992, whether Hong Kong is sufficiently autonomous to justify treatment under the laws of the United States, including U.S. trade laws, different from that accorded to the People's Republic of China, to consider information provided by the Secretary of State in the report required under section 301 of the United States Hong Kong Policy Act of 1992. This would modify the President's authority to waive the applicability of U.S. law, including import and other trade and tariff laws, with respect to Hong Kong. Section 5(b) requires that the Secretary of State include in this report an assessment of whether the Hong Kong Government and the People's Republic of China have cooperated in securing a bilateral investment treaty and whether there is diminished cooperation in areas of customs enforcement, drug interdiction and money laundering. Section 5(b) also requires the Secretary of State to cite any failure by these governments to respect United States textile laws and quotas and any misuse of the customs territory of Hong Kong to implement the foreign policy or trade goals of the Government of the People's Republic of China. All of these provisions could affect the future of U.S. commercial relations with Hong Kong.

In view of your desire for early House action on this bill, the non-controversial nature of the trade-related provisions, and the fact that they do not directly change existing U.S. trade laws or policies, it will not be necessary for the Committee on Ways and Means to mark up H.R. 750. This is being done only with the understanding that this action in the instance in no way establishes a precedent or prejudices the Committee on Ways and Means' jurisdiction over provisions of the type described above. I would appreciate your confirmation of this understanding and reference to this exchange of letters during House consideration of the bill.

I look forward to prompt consideration of this important legislation by the House.

Sincerely,

BILL ARCHER,
Chairman.

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

Mr. Speaker, I include for the RECORD a cost estimate on the impact of H.R. 750 by the Congressional Budget Office, and note that the cost is estimated to be zero.

The material referred to is as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 7, 1997.

Hon. BENJAMIN A. GILMAN,
Chairman, Committee on International Relations,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 750, the Hong Kong Reversion Act, as ordered reported by the House Committee on International Relations on March 6, 1997.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Joseph C. Whitehill.

Sincerely,

JUNE E. O'NEILL,
Director.

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST
ESTIMATE

H.R. 750, HONG KONG REVERSION ACT—AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON INTERNATIONAL RELATIONS ON MARCH 6, 1997

CBO estimates that the bill would result in no significant costs to the federal government. Because it would not affect direct spending or receipts, pay-as-you-go procedures would not apply. H.R. 750 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would impose no costs on state, local, or tribal governments.

The United States-Hong Kong Policy Act of 1992 (Public Law 102-383) allows the laws of the United States to be applied to Hong Kong without change after its reversion to China so long as Hong Kong remains sufficiently autonomous to justify a separate treatment. H.R. 750 would require that the Secretary of State's report on conditions in Hong Kong required by the earlier act address specific issues regarding Hong Kong's cooperation with U.S. agencies and continued autonomy.

In addition, H.R. 750 would continue, after Hong Kong reverts to China, some of the privileges and immunities that employees of the Hong Kong economic and trade offices currently enjoy as part of the British consular presence.

The CBO staff contact for this estimate is Joseph C. Whitehill. The estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

Ms. PELOSI. Mr. Speaker, I rise today in support of H.R. 570, the Hong Kong Reversion Act. I commend Chairman BEREUTER and Ranking Member BERMAN for bringing this bill to the floor today. While there are differing views in Congress about the direction which United States-China policy should take, we are all united in our concern about the future of Hong Kong. On July 1, 1997, less than 4 months from now, control over Hong Kong will revert to China. This action defines the future for a freedom-loving people, who will find themselves under the jurisdiction of an authoritarian regime.

There is much at stake with this takeover and the people of Hong Kong are not the only ones who will feel its effects. Hong Kong's very viability as a global financial center will be threatened if the Chinese Government does not act responsibly and does not respect internationally recognized basic human rights and fundamental principles. Transparency, access to unbiased information in real time, and recourse to an independent judicial system are all critical components of long-term economic growth. Restrictions on freedom of the press

and freedom of speech stifle a citizenry and undermine its economy. Unfortunately, the future picture for Hong Kong is already clouded.

In 1984, the United Kingdom and China in 1984 created a framework for Hong Kong's reversion in the Sino-British Joint Declaration. The Joint Declaration established a "one-country, two-system" arrangement, under which Hong Kong would enjoy a "high degree of autonomy" in its operation for the next 50 years. Recently, serious questions have arisen about China's intentions to adhere to its agreement in light of actions by Beijing, including abolishing Hong Kong's democratically elected legislature, and repealing its Bill of Rights and other ordinances ensuring the rights of freedom of association and assembly.

H.R. 750 reaffirms congressional support for the autonomy of Hong Kong and implements a series of reports and guidelines to determine whether China is fulfilling its obligations under the 1984 Joint Declaration. Under the bill, the President of the United States could modify current United States law and policies involving Hong Kong, should he determine that "Hong Kong is not sufficiently autonomous * * *". While this bill does not go as far as I believe it should go in protecting the people of Hong Kong, it is an important step.

No discussion of Hong Kong's future would be complete without acknowledging the ongoing struggle of its brave prodemocracy movement to ensure basic freedoms for its people. The courage and commitment of Hong Kong's prodemocracy activists, led by Martin Lee, and including Emily Lau and Christine Loh, is exemplary. We must speak out on their behalf to support their efforts and to ensure their safety.

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

Mr. BEREUTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska [Mr. BEREUTER] that the House suspend the rules and pass the bill, H.R. 750, as amended.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the measure just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

MAKING CERTAIN TECHNICAL CORRECTIONS IN HIGHER EDUCATION ACT OF 1965 RELATING TO GRADUATION DATA DISCLOSURES

Mr. McKEON. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 914) to make certain technical corrections in the Higher Education Act of 1965 relating to graduation data disclosures, as amended.

The Clerk read as follows:

H.R. 914

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TECHNICAL AMENDMENTS RELATING TO DISCLOSURES REQUIRED WITH RESPECT TO GRADUATION RATES.

(a) AMENDMENTS.—Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is amended—

(1) in subsection (a)(3)(B), by striking "June 30" and inserting "August 31"; and

(2) in subsection (e)(9), by striking "August 30" and inserting "August 31".

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsection (a) are effective upon enactment.

(2) INFORMATION DISSEMINATION.—No institution shall be required to comply with the amendment made by subsection (a)(1) before July 1, 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. McKEON] and the gentleman from Michigan [Mr. KILDEE] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. McKEON]

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

Mr. Speaker, today we are taking up H.R. 914, which the gentleman from Michigan [Mr. KILDEE] and I introduced, and which was reported by the Committee on Education and the Workforce by voice vote.

H.R. 914 makes a technical correction to the student right-to-know provisions of the Higher Education Act. The student right-to-know provisions of the Higher Education Act require institutions of higher education to report graduation rates for their student body.

These statistics are compiled for the student body at large and for student athletes as well. Unfortunately, a change made in the fiscal year 1996 omnibus appropriations bill resulted in these rates being calculated at different points in time during the academic year. Rates for the student body at large are calculated as of June 30, while rates for student athletes are calculated as of August 30.

As a result of this mistake, institutions will be required to keep two sets of records for calculating and reporting graduation rates. This amendment corrects the problem by conforming the section of the Higher Education Act dealing with the reporting date for student athletes to the section of the Higher Education Act that requires preparation of graduation rates for all students.

This amendment will set August 31 as the uniform reporting date, which allows institutions to more accurately reflect the manner in which they collect the data on graduation rates, and eliminates the burdensome task of preparing two distinct sets of graduation rates.