

their wild rice. This has placed wild rice farmers at a disadvantage. It violates the intent of the law and it also results in unfair competition.

I am pleased the House and Senate conferees agreed with my amendment and chose to include it in this agreement. The provision clarifies congressional intent and restores fairness to our farm payment system.

I also want to make special note of the research funding contained in this bill for fusarium head blight, commonly known as scab, and vomitoxin.

During a recent trip through Minnesota's Red River Valley, wheat and barley producers stressed time and time again the economic impact these diseases have had on their crops. Minnesota is again experiencing an epidemic of scab which marks the fifth straight year the disease has been seen to some degree in the Northern Plains.

When added to contributions producers and the State of Minnesota have made to scab and vomitoxin research, I believe that the provisions contained in the research titles of this agreement are an appropriate approach to the Federal commitment regarding long-term basic research.

Mr. President, as I have stated many times both here and in Minnesota, we must give our farmers the tools to manage their business and not hamstring their creativity and productivity from Washington.

Although there is much work to be done regarding dairy and regulatory reform and risk-management, this conference agreement is a step in the right direction. I look forward to its immediate passage.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ASHCROFT. Mr. President, may I inquire as to the state of the business of the Senate?

The PRESIDING OFFICER. The Senate is in morning business, with Senators permitted to speak up to 5 minutes each.

Mr. ASHCROFT. May I inquire when that expires?

The PRESIDING OFFICER. Twelve o'clock.

Mr. ASHCROFT. I ask unanimous consent that, joined by my colleague from Arkansas, Senator TIM HUTCHINSON, we be allowed to speak in morning business for 25 minutes.

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

UNITED STATES-CHINA RELATIONS AND AMERICA'S POSITION AS A WORLD LEADER

Mr. ASHCROFT. Mr. President, I am pleased to come to the Senate floor

today, joined by my friend from our neighboring State of Arkansas, Senator TIM HUTCHINSON.

As the 21st century approaches, Senator HUTCHINSON and I both share a desire to see the United States maintain its position as a world leader—a world leader that emphasizes opportunity and freedom. A strong America abroad preserves the safety of our citizens at home and helps advance the ideals of liberty around the world.

The United States is involved internationally in very substantial ways, and in some of those settings it is my fear that, instead of exhibiting strong leadership, we have demonstrated that we are incapable of demanding integrity and of requesting that others deal with us honestly.

We are in the waning moments of a summit meeting between the President of China, Jiang Zemin, and President Clinton. Summit meetings can be very important times. They can provide opportunities for the United States to demonstrate leadership, to demonstrate a commitment to freedom and integrity in international relationships. Or they can do the converse and they can demonstrate that America will not demand integrity, will not demand a commitment to freedom and fair play. Summits can indicate that America does not have the kind of care for the rights of individuals generally around the globe that we would be known for historically in this country.

When we have summit meetings, we need to advance America's security and economic interests. Summit meetings should be times of structural advance for the United States, when we put in place the kind of framework that will result in our country being stronger—the kind of framework that will preserve our security and advance freedom around the world.

If statesmanship is not present, summits can become transactional rather than address the critical structural issues in a bilateral relationship. We have seen that during the United States-China summit this week, where the President of the United States has been eager for certain businesses to sell their goods to China, and has, in this particular summit, made it possible for the Chinese to gain access to some of the most important and sensitive nuclear technology in the United States. But the real issues in United States-China relations, however, have been deferred. Critical national security challenges, a staggering trade deficit, and an appalling human rights record in China all took a backseat to business contracts.

Summits can turn into shallow media events when the critical bilateral issues are ignored. The United States-China summit was worse than just a shallow event. Unfortunately, it was an event which demonstrated that we were willing—in order to acquire certain business contracts—to look past what ought to be clear, structural issues that ought to galvanize our at-

tention. China did not come to the summit to make real concessions on any front, and we responded with accommodation and appeasement. We agreed to have the summit anyway, in spite of the fact that China didn't come to provide genuine progress for the people of China or for the people of the United States.

Whenever we don't achieve structural change, such as progress in our trading relationships, which would be a reduction in tariffs or nontariff barriers from China; whenever we don't see an improvement in the human rights situation in China so that personal freedom is advanced; whenever we don't have a clear record which demonstrates that China will cease proliferating nuclear and chemical weapons and mass destruction technology—we have lost the ability to advance our nation's fundamental interests and we have traded principle for a few commercial contracts.

The real opportunity of summitry is the opportunity for structural change—not of transactions alone. It is an opportunity for statesmanship—not just salesmanship.

I don't think it is wrong for the President of the United States to want to sell our goods abroad. But when we sell our goods and our principles along with them—the kind of commitment we have to freedom, the kind of commitment we have to integrity, the kind of commitment we have to stopping the proliferation of nuclear and chemical weapons around the world—I think the price is too high.

I think we will have to ask ourselves when we look at the record of this summit, "Has this been an exercise in statesmanship, or has this been an exercise in salesmanship?" If it has just been an exercise in salesmanship, what have we sold? Have we bartered away our credibility, our commitment to freedom and liberty, and our demand for fair and balanced trade? Have we compromised our position when it comes to combating the proliferation of chemical and nuclear weapons? In my judgment, I think we have to ask those questions very, very soberly.

Did the summit advance America's economic and security interests? Did it put United States-China relations on a firmer footing by addressing the critical issues in our bilateral relationship, or was it centered around accommodation and big-ticket commercial deals? Have we, instead of engaging in statesmanship, just found ourselves engaged in salesmanship and perhaps selling some of the things which we hold most dear in the process?

My distinguished friend from Arkansas has shared many of these same concerns about our policy towards China. Senator HUTCHINSON has looked at this situation. He has grasped, I think, what is happening pretty well.

Senator HUTCHINSON, is there any indication that the administration's China policy is defending American security, economic, and human rights interest? Or has this been something that

simply ended up as being a transactional experience where we sold some goods and apparently were sold a bill of goods in return?

Mr. HUTCHINSON. First, may I say I am glad that I am able to join my distinguished colleague from Missouri.

When he speaks of "statesmanship" on the issue of foreign policy, I think he exemplifies that term.

To answer the Senator's question, I think it is unfortunate that after the summit the whole issue of human rights has really taken a back seat to commercial interests and that the attention that has been given to human rights is primarily attributable to those who have been willing to protest the presence of Jiang Zemin in our country, coming to the United States with the kind of attention at a state dinner, with a 21-gun salute, and with the red carpet treatment he has been accorded.

So I am glad for those who have pushed the issue of human rights.

The President was praised yesterday for chiding Jiang for the human rights record in China. But I think the chiding at whatever level it may have occurred and to what extent it may have occurred is greatly undermined when it is accompanied by 21-gun salutes, red carpet treatment, and state dinners, that, in fact, the ultimate end result of this summit will be to give greater acceptance of the Chinese Communist Government and greater willingness to accept and condone the oppressive practices that have become characteristic of this regime.

So instructive engagement has degenerated, I am afraid, into an exercise of appeasement. I think "appeasement" is a very strong word to use. But when we look at the last 4 years, I think it is not too strong a term to use to describe what the administration's policy has been.

The logic behind constructive engagement, as my colleague well knows, has been that expanded trade would lead to political liberalization and that economic freedom frequently leads to political freedom.

I have had meetings with a number of dissidents this week from China, the most famous of whom in this country is probably Harry Wu. When I raised this issue with Harry Wu, I said, "Harry, when they talk about economic liberalization leading to political liberalization and that trade ultimately always leads to political liberty if we will just give it time, that greater trade opportunities, the higher standard of living, and what they experience with economic prosperity has to ultimately lead to political liberalization and greater freedom," his response was if the administration were sincere in that, if they were genuine in that conviction, why not use that in North Korea, why not use that in Cuba? If, in fact, trade ended totalitarianism, we would be practicing that in other places.

I would be delighted to yield to my colleague.

Mr. ASHCROFT. Mr. Wu is a person who speaks with some experience as it relates to the human rights situation in China because he spent some considerable time in Chinese jails as a result of speaking openly, didn't he?

Mr. HUTCHINSON. That is correct. I believe Mr. Wu spent a total of 19 years in Chinese prisons.

Mr. ASHCROFT. Is this because he attempted to rob a bank, or launched an assault on the Government?

Mr. HUTCHINSON. His incarceration was because he was drawing attention to something that China is sensitive to, which is the slave labor camp system that exists within China, and most recently, of course, his drawing attention to the Chinese Government's policy of selling organs from those who have been executed within those prisons.

Mr. ASHCROFT. So for telling the truth in China, he spent 19 years in Chinese prisons.

Mr. HUTCHINSON. Simply for being willing to express a dissenting opinion.

Mr. ASHCROFT. During the time when he was in prison, was there expanding trade or contracting trade with the United States?

Mr. HUTCHINSON. As the Senator knows, trade has consistently expanded. I might also add that our deficit in trade with China has expanded as well, so that this year it is anticipated we will have a \$44 billion trade deficit.

But I think at the time Harry Wu was first incarcerated, it was down in the single digits.

Mr. ASHCROFT. The expanded trade didn't expand his rights very effectively. He is free, and has to be outside of China to be confident of his ability to continue to speak freely.

Mr. HUTCHINSON. I believe what underscores that even more is during the 8 years since Tiananmen Square and during the 4 years since we have adopted this so-called policy of instructive engagement, by every measure, human rights conditions in China have deteriorated, which seems to me to greatly undermine this approach that economic trade will lead to greater political liberty.

Mr. ASHCROFT. I thank the Senator.

Mr. HUTCHINSON. So the administration's decision not even to consider human rights abuses when dealing with China has proven, I think, disastrous for the people of China and they have been removed from the threat of any repercussions; that is, the Chinese Communist government in their trade relationship with the United States and the Chinese Communist leaders have succeeded in jailing every last dissident in a country of over 1 billion people. So rather than seeing expanded liberties, we have seen those contracted by the jailing of every last dissident as our country has turned a blind eye to the atrocities that have escalated, and the oppressive government in China has strengthened its hold on fully what is one-fourth of the world's population.

Since the United States formally delinked American trade with China from its human rights performance of abuse, much has changed, but nothing has changed for the better.

I had in my office yesterday—I share this with the Senator from Missouri—a number of Chinese political dissidents, democracy dissidents, those who had raised their voices on the side of freedom. One was a former editor with the People's Daily, a Communist Chinese newspaper. He resigned that position because they would not allow him to speak the truth.

But the one I remember the most and that made such an impression upon me was the young man who said that on the very day that President Clinton announced his policy of delinking in which he said no longer will we tie human rights abuses and violations to our attitude toward trade with Communist China, it was on that very day that they came and rounded him up and his incarceration and his prison term began.

So the policy of constructive engagement has simply failed. It has produced more persecutions of Christians, more forced abortions, more sterilizations to the mentally handicapped, more incarcerations of political dissidents, and the near extinction of the expression of any opinions contrary to that of the Communist regime.

I participated yesterday, I believe it was yesterday, in the "Adopt a Prisoner of Conscience" Program that began on the House side in which Members of the House and Senate were invited to adopt a particular individual who today is languishing in a Chinese Communist prison for no other reason—not because they robbed a bank or because they mugged somebody, or they robbed—for no other reason than they had expressed their own conscience contrary to that of the Communist government.

The "prisoner of conscience" whom I adopted, and whose name I do not seek to say, was charged with this crime: Helping Christians. That was the charge. That is why he is incarcerated. The date of release is unknown. How long he will stay in prison we don't know. But his crime was simply helping Christians.

So I suggest, as I yield to the Senator from Missouri, that this policy of constructive engagement has failed, and at some point, if time allows, I would like to talk about how this foreign policy contrasts so poorly with the very firm foreign policy that we had under Ronald Reagan.

Mr. ASHCROFT. I thank the Senator.

I have to say in response to the Senator that the contrast between the rights of man in America and the kind of lip service given to freedom by the Chinese leadership could not be more striking.

When asked about the nature of liberty, Chinese President Jiang said that liberty, in and of itself, is not an absolute, that it is a relative thing. He

analogized it to Einstein's theory of relativity. For President Jiang, liberty is something that can grow or shrink depending on the need, or the circumstance of the moment. Freedom might be something to be cherished; it might not.

In contrast, the United States of America was founded on the concept in our Declaration of Independence that we are endowed by our Creator with inalienable rights. And this means a couple of things. One, that these rights are not relative, they are not adjustable; they are immutable, they are unchangeable—that these are given to us by God. It also suggests to us that they are given to everybody because it is the Creator that gives the right. It is not even governments which give rights. Rights are something that we are given by virtue of being created, and these rights are for the benefit of people all across the globe.

We have on the one hand a Chinese leader that would have total latitude to adjust rights based on a theory of relativity. That is precisely what is happening in China. Someone being an accessory to Christianity, helping a Christian, finds himself in jail for an indeterminate length of time; someone who not only is not engaged in domestic unrest or criminal activity, but is just assisting other people in their own ability to recognize the existence of a Creator in accordance with their beliefs. In China, accessories to Christianity are criminals.

That is the extent to which liberty can be withheld or granted in China, and that makes it very difficult to deal with such a government. The administration invites the Chinese delegation to the United States and we talk to them about human rights issues. While those officials are here in this country, it is very easy for them to make commitments to human rights in China. Since rights are relative, promises can be made now, but when the delegation returns to Beijing, the commitments take on new meaning.

The truth of the matter is that I think America has it right about rights, that rights are something granted by the Creator, guarded perhaps by government, sometimes threatened and taken away by government. But rights are something we have because of our creation and our existence. They are not relative. They are not dependent upon whether someone thinks the condition is favorable to the rights of man. These are things which we are born with, we are created with. They are inalienable. They are immutable.

President Jiang often says the right thing on human rights. Even China's constitution provides for fundamental human rights. China signed the U.N. International Covenant on Economic, Social and Cultural Rights this week. Signing documents is painless, but if you really believe that rights are relative, that circumstances determine rights, what does the signature mean?

It means that the rights will be granted so long as we want them to be granted.

The 1996 State Department human rights report says, "All public dissent against the party and government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest. No dissidents were known to be active at year's end."

Now, that is a sobering concept, when our own State Department says, "No dissidents were known to be active at year's end." That has a very sobering tone. I believe that we ought to demand and expect a better human rights record from the Chinese Government.

Mr. HUTCHINSON. If the Senator will yield?

Mr. ASHCROFT. I am pleased to yield.

Mr. HUTCHINSON. I was impressed with the Senator's comments as he reminds us of what Jiang has said concerning rights, that they are relative, that they are not absolute. And how do you deal, how do you negotiate, how can you trust a leader that has that concept of liberties, and how that contrasts in fact with our own Founding Fathers—the attitude that they seem to have that rights are like aspirins to be dispensed as needed by the government and to expand or to contract as the situation may require?

The ideals of the American Revolution were not narrow. They were not culturally limited appeals without relevance beyond our shores. Our Founding Fathers recognized that when God gave rights, when the Creator gave rights, he didn't just give them to Americans; that he gave them to all human beings. And so the efforts of the Chinese leadership to depict Western democracy as being only a Western phenomenon, that it is a Western cultural thing like business suits or like eating with knives and forks is I think contrary to the reality that in fact rights are absolute and that civil liberties, that human rights transcend cultures and they transcend societies and they even transcend various forms of government.

The young students in Beijing 8 years ago who defied the tanks, I say to the Senator, were not there making papier-mache models of Chairman Mao but of Miss Liberty. They didn't quote from Marx. They were quoting from Thomas Jefferson. And we may not be able to save the lives of every young, brave student in the world, but we should always make it clear that our prayers and our policies are on the side against the tanks of terror and that we should never sell out his cause of freedom for trade opportunities.

I recall, as does the Senator, when the copyright issue came up with China and that China was violating American copyright laws. It was at that point that the administration threatened sanctions against China. When I was talking with Harry Wu, he replied as only Harry Wu could, that copyright

equals sanctions, human rights equal no sanctions. And I think it really puts in perspective the attitude of the administration that profits seem to be more important and will bring greater repercussions and consequences with the Chinese Government than will the violation of human rights.

I thank the Senator.

Mr. ASHCROFT. I thank the Senator. I see that our time is fast fleeting. I thank the Senator for making the case against China's human rights record.

There are other points to be made about the inequities in the relationship between the United States and China. Not the least of those is trade. The average tariff that China has on our goods is about 23 percent. The average United States tariff on Chinese goods is about 4 percent. That it is basically a 6-to-1 ratio. And as a result there is a staggering trade deficit with China. The Chinese citizens do not buy nearly as much from us as other countries do.

The average Chinese buys 10 dollars worth of United States goods every year compared to \$1,000 for the Taiwanese, \$550 for every South Korean. Our trade deficit with Japan is troubling, but it only grew by 10 percent between 1991 and 1996. The United States trade deficit with China grew by more than 200 percent during that same period.

But as important as trade and human rights are, there is another important issue: the national security of the United States. China has been the worst proliferator of weapons of mass destruction technology, according to a CIA report. Today's Washington Times headline reads, "Clinton Jiang Reach Nuclear Accord." This is an accord which is designed to give China the very best of the nuclear information we have in this country, much of it sponsored with taxpayers' dollars as a result of governmentally assisted research. And not far from the "Clinton Jiang Reach Nuclear Accord" headline is, "China Aided Iran in Chemical Arms." This second article talks about a report from our Government that indicates that China has helped Iran develop a chemical weapons capacity—weapons of mass destruction for the kind of Third World rogue regime that we find in Iran.

To see these things juxtaposed on the front page of a newspaper sends a chill, and it should, through my spine. To think that we are signing high-level nuclear accords with governments that are helping terrorist states like Iran acquire weapons of mass destruction technology is incomprehensible.

To have that article right there, the nuclear accord, right beneath the story on China aiding Iran in the development of chemical weapons, is a dramatic illustration of this administration's failing China policy. The CIA report released this past summer said that China was the worst proliferator of weapons of mass destruction technologies in the latter half of 1996. A greater degree of caution is needed in dealing with such governments.

U.S. credibility was at stake in the nuclear cooperation debate. What kind of leadership are we providing to the rest of the world? Other countries will not take their responsibility to restrain proliferation seriously if the United States enters into nuclear cooperation with the world's worst proliferator of nuclear and chemical weapons technologies.

I thank the Senator for coming to the floor. If there are other questions or comments, I invite them.

Mr. HUTCHINSON. I thank the Senator for taking the leadership on this issue so forcefully. If I could ask unanimous consent for just 2 minutes.

Mr. LEAHY. Mr. President, I will not object but I would ask in the unanimous consent that after the 2 minutes I be recognized for a statement. I have been waiting for that time to do so.

The PRESIDING OFFICER (Mr. BURNS). Is there objection? The Chair hears none, and it is so ordered.

Mr. HUTCHINSON. In closing, may I say it is my understanding that Jiang will be in Philadelphia, PA, today at the Liberty Bell, this great cradle of liberty, this great cradle of democracy in our country. I hope he reads well the words that are inscribed in the Liberty Bell because it is from the Scriptures. I think it is from the Book of Deuteronomy. It says, "Proclaim liberty throughout the land." I hope he takes it to heart, that this is a concept he needs to bring back to China, and there is much he can do, starting with no longer jamming Radio Free Asia. If he believes in liberty, let the message of freedom come into his country.

Among the dissidents I met with this week was an elderly Tibetan lady who had been arrested and spent 28 years in prison. She said that all of those who were arrested when she was arrested are now dead. And she said she has asked repeatedly, why only her? Why did she live? Why did she survive those 28 years in prison? And as we met right over here in the Foreign Relations Committee room, she looked around—there were 10 Senators there, and she looked at those Senators and said, "That's why I survived, so I could tell my story."

I thank Senator ASHCROFT for helping tell her story to the American people.

I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I have different things I want to talk about. One of the things I might talk about is the beauty of the great State of Montana, but I know I would only embarrass the Presiding Officer if I did that. So I will hold that for another occasion.

REVERSING FCC TOWER-SITING RULES

Mr. LEAHY. Mr. President, I have strongly objected to the proposed Fed-

eral Communications Commission rules that I believe essentially rob States and communities of the authority to decide where unsightly telecommunications towers should be built, and I want to renew my objection to those proposed rules.

Back when the Telecommunications Act of 1996 passed, there were only five Senators who voted against it. I was one of the five. One of my fears was that the will and voices of States and of local communities would be muted.

As a lifelong Vermonter, I didn't want to see that happen to my State. Unfortunately, the fears I had at that time have been confirmed. Under the so-called telecommunications reform bill, Vermont towns and towns in other States have very little say when big and unsightly towers are proposed. Towns can no longer just say, "No, you can't put that awful tower in our community, blocking our scenic vistas." It is unfortunate that 91 Senators said they were willing to see the rights of towns and cities trampled that way.

The bill also prohibits towns and cities from having stricter health and safety standards regarding environmental effects of radio frequency emissions.

Here is what has happened in Vermont. Keep in mind, Mr. President, that our State is one of the most beautiful States in the country. People come to our State because of the magnificent views. And those of us who were born there want to remain there because of this beauty. Now we are being told that no matter how much we have done to promote this beauty, if somebody wants to just slap up telecommunication towers right in the middle of the most magnificent vista there may be little we can do about it.

The State of Vermont, from Gov. Howard Dean to the Vermont Environmental Board and local zoning officials and mayors and citizens, is concerned that it is losing control of the siting and design and construction of telecommunication towers and related facilities.

These people have written to the FCC opposing this rule, and I endorse their comments. They have done an excellent job representing the views of all Vermonters. As a matter of fact, I also submitted a lengthy petition, something I rarely do but I did this as a Vermonter hoping that we will influence the FCC.

I think these tower siting rules should be stopped once and for all. We ought to tear them out by their roots which were planted in the 1996 telecommunications bill.

To make sure that they can be torn out, I am introducing legislation that repeals the authority given to the FCC in 1996 to preempt State and local regulations on the placement of new telecommunication towers. I don't want Vermont turned into a giant pin cushion with 200-foot towers indiscriminately sprouting up on every mountain

and in every valley, ruining the view that most of us have spent a lifetime enjoying.

I might note that my distinguished colleague from Vermont, Mr. JEFFORDS, is going to join me as a cosponsor of this legislation.

The backbone of Vermont's beauty is its great mountains, surrounded by magnificent views of valleys, rivers, and streams. Vermonters do not want these scenic vistas destroyed by towers, bristling with all manner of antennas and bright lights, strobes, flashes, and everything else that destroy this vista.

I think of my own home, my tree farm in Middlesex, VT. When I step out the front door of my home, I look 35 miles down a valley ringed by mountains. I live on a dirt road, and I literally cannot see another house or another dwelling in any direction. I look at some of the most beautiful scenery of Vermont. Frankly, Mr. President, each time I am back home this renews my soul and my spirit.

I am sure all Vermonters and all those who visit us in Vermont feel the same way I do about the scenic wonders of our State. Because of that, we Vermonters have determined that we want to move with care to avoid the indiscriminate placement of towers that would jeopardize one of our State's most precious assets. We Vermonters want some say in our own life. We Vermonters want some say in protecting what is the best in our beautiful State.

Vermont citizens and communities should be able to participate in the important decisions that affect their families and their future. The location of large transmission towers have significant effects on property values, on health, and enjoyment of one's home, in fact even the ability to sell one's home.

I say the Telecommunications Act went far too far toward preemption of local control and now this proposed FCC implementation goes even further. Vermont has enacted landmark legislation, Act 250, to preserve our environment while permitting growth.

Understand, when I sit in my home in Vermont, I am connected by computer to my office in Washington and my offices in two other locations in Vermont. I can communicate with my children wherever they are by telephone or by computer. I pull up newspapers that are not available to me immediately in Vermont off the Internet. I am for progress. I think that is something Vermont has always supported, but not for ill-considered, so-called progress at the expense of Vermont families and homeowners.

It is important that Vermont not be left out of technological progress, but that is the whole reason Vermont enacted the Act 250 process. Vermont communities and the State of Vermont have to have a role in deciding where these towers are going to go. Vermonters should be able to take into account the protection of our scenic